



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**PLANNING COMMISSION**

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*Promoting the wise use of land  
Helping build great communities*

MEETING DATE August 25, 2005	CONTACT/PHONE Brian Pedrotti 788-2788	APPLICANT Mark Godfrey	FILE NO. TRACT 2574 S030062T
<b>SUBJECT</b> Request by Mark Godfrey for a Vesting Tentative Tract Map to subdivide an existing 19.2 acre parcel into seven parcels of between 3.15 and 2.50 acres each, for the sale and/or development of each proposed parcel. The proposed project is within the Residential Suburban land use category and is located at the northeast corner of Badger Canyon Lane and Fox Canyon Lane, west of Corbett Canyon Road, approximately 1 mile north of the City of Arroyo Grande. The site is in the San Luis Bay (Inland) planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Vesting Tentative Tract Map 2574 based on the findings listed in Exhibit A and the conditions listed in Exhibit B			
<b>ENVIRONMENTAL DETERMINATION</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Revised Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 22, 2005 for this project. Mitigation measures are proposed to address aesthetics, biological resources, geology and soils, public services/utilities, recreation, wastewater, and water, and are included as conditions of approval.			
LAND USE CATEGORY Residential Suburban	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 044-501-004	SUPERVISOR DISTRICT(S) 3
<b>PLANNING AREA STANDARDS:</b> Limitation on use, adequate groundwater/sewage disposal system			
<b>LAND USE ORDINANCE STANDARDS:</b> Sec. 22.22.070 – Residential Suburban Subdivision Design			
<b>EXISTING USES:</b> Single-family residence, outbuildings			
<b>SURROUNDING LAND USE CATEGORIES AND USES:</b> North: Residential Suburban / residences South: Residential Suburban / residences East: Residential Suburban / residences West: Residential Suburban / residences			
ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING & BUILDING AT: COUNTY GOVERNMENT CENTER ♦ SAN LUIS OBISPO ♦ CALIFORNIA 93408 ♦ (805) 781-5600 ♦ FAX: (805) 781-1242			

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OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, County Parks, CDF, APCD, Lucia Mar, City of Arroyo Grande	
TOPOGRAPHY: Moderately to steeply sloping	VEGETATION: Native grasses, oak trees, manzanita
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CDF	ACCEPTANCE DATE: March 18, 2004

#### ORDINANCE COMPLIANCE:

##### *Minimum Parcel Size*

Section 22.22.070 of the Land Use Ordinance establishes standards for determining minimum parcel sizes in the Residential Suburban land use category. The standards are based on the topography of the site and the type of water supply and sewage disposal. Minimum parcel size is based on the largest parcel size as calculated by tests. The proposed parcels meet all requirements for 2.5 acre parcels as follows:

TEST	STANDARD	MINIMUM PARCEL SIZE
Slope	Average slope is between 16 and 30%	2.5 acres
Water Supply and Sewage Disposal	On-site well On-site septic	2.5 acres

##### *Quimby Fees*

Title 21, the Real Property Division Ordinance, establishes an in-lieu fee for all new land divisions for the purpose of developing new, or rehabilitating existing, park or recreational facilities to serve the land division. Payment of the parkland fee for all undeveloped parcels is required prior to map recordation.

##### *Affordable Housing Fees*

Sections 18.07 et. seq of Title 18 of the County Code establishes a fee of 3.5% of the public facility fee for all new land divisions. This allows recognized affordable housing projects to be exempted from public facility fees.

##### *Design Standards*

The proposed parcels are consistent with the design criteria set forth in Chapter 3 of the Title 21 of the Real Property Division Ordinance.

#### PLANNING AREA STANDARDS:

##### Section 22.106.020 San Luis Bay Rural Area

##### 22.106.020.A – Areawide standards:

1. Planning Impact Areas – Application referral and development impacts for City of Arroyo Grande.
2. Circulation standards

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- a. New land divisions shall be designed where possible to combine driveways and private access roads
- b. New land divisions shall provide safe and site-sensitive pedestrian and bike circulation facilities in design of roads
- c. New land divisions shall be designed and constructed to minimize terrain disturbance. Altered slopes shall be replanted with indigenous plants or protected by other appropriate erosion control measures. New land divisions shall be designed to respect City road widths and connections.

***As conditioned, the project meets these standards. The project was referred to the City of Arroyo Grande for comments. Badger Canyon Lane and Fox Canyon Lane will be dedicated to county standards, which provide sufficient width for street and pathway improvements. The proposed driveway on the property has been sited to follow the existing quarry roads to minimize terrain disturbance.***

Section 22.106.030 Arroyo Grande Fringe Area Standards: Residential Suburban

Section 22.106.030.E – Prior to acceptance of the land division application, the applicant shall demonstrate that adequate groundwater resources and individual sewage disposal systems can be accommodated on each parcel.

***As conditioned, the project meets these standards. The project was referred to the County Environmental Health Department for review and comment. Percolation tests were performed for each lot. All except proposed Lot 5 were within an acceptable range. Lot 5 will require an engineered system. Soil borings at each leach line location will be required prior to recordation of the final map.***

**ENVIRONMENTAL DETERMINATION:**

On January 13, 2005, the Planning Commission held a hearing for this item and requested additional information on two environmental issues of concern. First, the Commission identified a need to study the existing detention pond on the site as a potential wetland. Second, the Commission requested additional information regarding the existing quarry at the northwest corner of the property. The Commission directed Staff to re-examine these issues and incorporate them into the environmental document. Staff requested a Wetlands Delineation Survey and Slope Stability Analysis for the project. The subsequent review produced a revised Mitigated Negative Declaration with additions and revisions to the mitigation measures for the following resources:

Special-Status Species

A Botanical Survey (Althouse and Meade, Inc., July, 2003, revised 2005) conducted on the property identified multiple special status plant species, including Well's manzanita (*Arctostaphylos wellsii*) straight-awned spineflower (*Chorizanthe rectispina*), and San Luis Obispo Indian paintbrush as occurring in patches on the property. The applicant has agreed to limit all future development to specific building envelopes, and prohibit future development in areas designated for the protection of these species. Replanting and monitoring programs have been included as conditions of approval for manzanita and spineflower. The property is also populated with numerous coast live oak trees. Mitigation measures have been included as conditions of approval to address protection and replanting of impacted and removed trees, as well as open space easements and in-lieu fees.

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#### Wetlands

A Wetland Delineation completed for the site (Althouse and Meade, March 2005, revised April 2005), identified state and federal wetlands on the property, including a large spring-fed wetland on the southeast corner (proposed Lot 1) and several smaller wetlands on proposed Lots 4 and 5. Restrictive building envelopes will ensure that impacts to the smaller state designated wetlands on proposed Lots 4 and 5 will be insignificant. Measures have been included to mitigate for impacts to the existing state and federal wetlands on the property, including an additional retention/sedimentation pond on proposed Lot 3, building envelopes on proposed Lots 5 and 3, and an in-lieu fee for the road shoulder wetland on proposed Lot 1.

#### Existing Quarry/Erosion and Sedimentation

The site has been extensively modified by past quarry operations. Haul roads and pit areas exist on the upper elevations of the property. A large excavation related to the quarry operation exists in the northwest corner (proposed Lot 6). Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within the surrounding areas may be significant. A Slope Stability Evaluation (Geosolutions, March 3, 2005 and addendum May 17, 2005), identified a low potential for destabilization and failure of the vertical slopes of the quarry excavation. The report also assumes a certain amount of debris collection as a slow but on-going process at the base of the quarry face. A sedimentation and erosion control plan shall be prepared (per County Land Use Ordinance sec. 22.05.036) and incorporated into the project to minimize sedimentation and erosion.

#### AGENCY REVIEW:

Public Works – Recommend approval with stock conditions.

Environmental Health - Preliminary evidence of water and ability to serve by septic.

Comprehensive water data required prior to map recordation for each proposed parcel.

County Parks - Quimby and Building permit fees

CDF - See attached fire safety plan dated September 9, 2003 and follow-up dated January 7, 2005.

APCD – Inconsistent with Clear Air Plan

City of Arroyo Grande – Site is steep, particularly proposed Lots 4, 5, 6, and 7. It is also a long way from nearest CDF/County fire station and should be zoned Residential Rural, not Residential Suburban. The appropriate lot size in this situation is a minimum of 1 unit/5 acres, not 1 unit/2.5 acres. Oaks and brush and slopes equal fire danger. City will recommend denial due to excessive density and fire response problem.

#### LEGAL LOT STATUS:

The existing lot was legally created by a recorded map at a time when that was a legal method of creating lots.

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**FINDINGS - EXHIBIT A**

*Environmental Determination*

- A. The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Revised Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on July 22, 2005 for this project. Mitigation measures are proposed to address aesthetics, biological resources, geology and soils, public services/utilities, recreation, wastewater, and water, and are included as conditions of approval.

*Tentative Map*

- B. The proposed map is consistent with applicable county general and specific plans because it complies with applicable area plan standards and is being subdivided in a consistent manner with the Residential Suburban land use category.
- C. The proposed map is consistent with the county zoning and subdivision ordinances because the parcels meet the minimum parcel size set by the Land Use Ordinance and the design standards of the Real Property Division Ordinance.
- D. The design and improvement of the proposed subdivision are consistent with the applicable county general and specific plans because the required improvements will be completed consistent with county ordinance and conditions of approval and the design of the parcels meets applicable policies of the general plan and ordinances
- E. The site is physically suitable for the type of development proposed because the proposed parcels contain adequate area for development of single-family residences.
- F. The site is physically suitable for the proposed density of the development proposed because the site can adequately support a primary and secondary dwelling on each proposed parcel.
- G. The design of the subdivision or the proposed improvements will not cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat because the project includes limitations on future development to areas inside the building envelopes shown on the map and includes open space easements for the protection of sensitive species.
- H. The design of the subdivision or the type of improvement will not conflict with easements acquired by the public at large for access through or use of property within the proposed subdivision.
- I. The proposed map complies with Section 66474.6 of the State Subdivision Map Act, as to methods of handling and discharge of waste.

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**EXHIBIT B**

**CONDITIONS OF APPROVAL FOR TR 2574**

**Approved Project**

1. A Vesting Tentative Tract Map to subdivide an existing 19.2 acre parcel into seven parcels of between 3.15 and 2.50 acres each, for the sale and/or development of each proposed parcel.

**Access and Improvements**

2. Roads and/or streets to be constructed to the following standards:
  - a. Badger Canyon Lane and Fox Canyon Lane widened to complete an A-1 (rural) section fronting the property.
3. The applicant offer for dedication to the public by certificate on the map or by separate document:
  - a. For road widening purposes 10 feet along Badger Canyon Lane, to be described as 30 feet from the recorded centerline.
  - b. A 20 foot radius property line return at the intersection of Badger Canyon Lane and Fox Canyon Lane.
4. A private easement be reserved on the map for access to lots 4, 5, 6, and 7.
5. All grading shall be done in accordance with Appendix 33 of the Uniform Building Code. All lot lines shall be considered as Site Area Boundaries with slopes setback accordingly.

**Improvement Plans**

6. Improvement plans shall be prepared in accordance with San Luis Obispo County Improvement Standards and Specifications by a Registered Civil Engineer and submitted to the Department of Public Works and the county Health Department for approval. The plan is to include:
  - a. Street plan and profile.
  - b. Drainage ditches, culverts, and other structures (if drainage calculations require).
  - c. Grading and erosion control plan for subdivision related improvement locations.
  - d. Public utility plan, showing all existing utilities and installation of all utilities to serve every lot.
  - e. Tree removal/retention plan for trees to be removed and retained associated with the required improvement for the land division to be approved jointly with the Department of Planning and Building.

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7. The applicant shall enter into an agreement with the county for the cost of checking the map, the improvement plans if any, and the cost of inspection of any such improvements by the county or its designated representative. The applicant shall also provide the county with an Engineer of Work Agreement retaining a Registered Civil Engineer to furnish construction phase services, Record Drawings and to certify the final product to the Department of Public Works.
8. The Registered Civil Engineer, upon completion of the improvements, must certify to the Department of Public Works that the improvements are made in accordance with all conditions of approval, including any related land use permit conditions and the approved improvement plans. All public improvements shall be completed prior to occupancy of any new structure.
9. If environmental permits from the Army Corps of Engineers or the California Department of Fish and Game are required for any public improvements that are to be maintained by the County, the applicant or his engineer, prior to the approval of the plans by the Department of Public Works shall:
  - a. Submit a copy of all such permits to the Department of Public Works OR
  - b. Document that the regulatory agencies have determined that said permit is not longer required.

#### **Drainage**

10. Submit complete drainage calculations to the Department of Public Works for review and approval.
11. If calculations so indicate, drainage must be retained in a drainage basin on the property. The design of the basin to be approved by the Department of Public Works, in accordance with county standards.
12. If a drainage basin is required, the drainage basin along with rights of ingress and egress be:
  - a. offered for dedication to the public by certificate on the map with an additional easement reserved in favor of the owners and assigns.
13. The project shall comply with the requirements of the National Pollutant Discharge Elimination System Phase I and/or Phase II storm water program.

#### **Wastewater Disposal**

14. Prior to the filing of the final parcel or tract map, the applicant shall submit to and be jointly approved by the county Department of Planning and Building and Health Department, results of percolation tests and the log or logs of soil borings performed by a registered civil engineer. For this purpose, the applicant shall perform one or more soil borings to be a minimum depth of ten (10) feet in the area of the appropriate area of the proposed sewage disposal system to determine the: a) subsurface soil conditions, (example: impermeable strata which act as barriers to the effective percolation of sewage); b) presence of groundwater; c) separation between sewage disposal

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saturation areas and groundwater; d) borings shall be as deep as necessary below the proposed on-site disposal area to assure required separation. The applicant must perform a minimum of three (3) percolation test holes, to be spaced uniformly in the area of the proposed sewage disposal system.

### **Soils Report**

15. A final soils report by a Registered Civil Engineer be submitted for review prior to the final inspection of the improvements.
16. Three (3) copies of a Preliminary Soils Report prepared by a Registered Civil Engineer in accordance with Sections 17953, 17954, 17955 of the California Health and Safety Code shall be submitted to the Public Works, Health and Planning and Building Departments prior to the filing of the final parcel or tract map. The date and person who prepared the report are to be noted on the map.

### **Utilities**

17. Electric and telephone lines shall be installed underground or overhead.
18. Cable T.V. conduits shall be installed in the street.
19. Gas lines shall be installed.
20. A 20 feet public utility easement on private property along all 20' wide public access easements, plus those additional easements required by the utility company, be shown on the final parcel or tract map.

### **Design**

21. The applicant shall apply to the Department of Planning and Building for approval of new street names prior to the filing of the final parcel or tract map. Approved street names shall be shown on the final parcel or tract map.

### **Fire Protection**

22. The applicant shall obtain a fire safety clearance letter from the California Department of Forestry (CDF)/County Fire Department establishing fire safety requirements prior to filing the final parcel or tract map.
23. **Prior to final map recordation**, the project shall comply with the Fire Safety Plan from CDF dated September 9, 2003 and the addendum dated January 7, 2005.

### **Parks and Recreation (Quimby) Fees**

24. Unless exempted by Chapter 21.09 of the county Real Property Division Ordinance or California Government Code section 66477, prior to filing of the final parcel or tract map, the applicant shall pay the in-lieu" fee that will be used for community park and recreational purposes as required by Chapter 21.09. The fee shall be based on the total

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number of new parcels or remainder parcels shown on the map that do not already have legal residential units on them.

### **Affordable Housing Fee**

25. **Prior to filing the final parcel or tract map**, the applicant shall pay an affordable housing fee of 3.5 percent of the adopted public facility fee effective at the time of recording for each residential lot. This fee shall not be applicable to any official recognized affordable housing included within the residential project.

### **Easements**

26. Open space easements be recorded for the open space areas. They are to be held in common by the Homeowner's Association. The open space easements are to be maintained as such in perpetuity.

### **Other**

27. **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate number of manzanita plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of manzanita to be replanted.
28. **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate area of straight-awned spineflower plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of straight-awned spineflower to be replanted. Replanting shall be done on the same lot as removed wherever possible.
29. **Prior to recordation of the final map**, the applicant shall submit a drainage plan for the proposed access driveway with the subdivision improvement plans, for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
30. **Prior to recordation of the final map**, the applicant shall submit a sedimentation and erosion control plan for the proposed access driveway with the subdivision improvement plans for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.

31. **Prior to recordation of the final map**, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans, which shows the amount of cut and fill and well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.

**Additional Map Sheet**

32. The applicant shall prepare an additional map sheet to be approved by the county Department of Planning and Building and the Department of Public Works. The additional map sheet shall be recorded with the final parcel or tract map. The additional map sheet shall include the following:
- a. If improvements are bonded for, all public improvements (roads, drainage, and utilities) shall be completed prior to occupancy of any new structure.
  - b. In the event archaeological resources are unearthed or discovered during any construction activities, the following standards apply:
    - i. Construction activities shall cease, and the Environmental Coordinator and Planning Department shall be notified so that the extent and location of discovered materials may be recorded by a qualified archaeologist, and disposition of artifacts may be accomplished in accordance with state and federal law.
    - ii. In the event archaeological resources are found to include human remains, or in any other case where human remains are discovered during construction, the County Coroner is to be notified in addition to the Planning Department and Environmental Coordinator so that proper disposition may be accomplished.
  - c. **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface.
  - d. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.
  - e. **During grading/construction for the proposed subdivision improvements and construction**, the applicant shall limit the manzanita (Wells' manzanita – [*Arctostaphylos wellsii*] removal to those areas shown on the attached Exhibit F. The applicant shall replace, in kind at a 3:1 ratio, all manzanita removed as a result of the development of the project. All other construction and grading activities shall avoid

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impacts to the remaining manzanita on the subject property. Prior to additional manzanita removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.

- f. **Prior to commencement of any vegetation removal or grading work**, all manzanita to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable constructions plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- g. The newly planted manzanita shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering (e.g. drip-irrigation system). Watering should be controlled so only enough is used to initially establish the manzanita, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- h. Once the new manzanita has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- i. During grading/construction for the proposed project, the applicant shall limit the straight-awned spineflower [*Chorizanthe rectispina*] removal to those areas shown on the attached Exhibit G. All other construction and grading activities shall avoid impacts to the remaining straight-awned spineflower on the subject property. Prior to additional straight-awned spineflower removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.
- j. The newly planted straight-awned spineflower shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering. Watering should be controlled so only enough is used to initially establish the straight-awned spineflower, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.

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- k. Once the new straight-awned spineflower has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- l. To minimize impacts to the sensitive habitat, the applicant agrees to the following during construction and for the life of the project:
  - i. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
  - ii. Vegetation removal of native habitat shall be limited to what is shown on the county-approved tentative tract map/additional map sheet.
  - iii. Vegetation clearance for fire safety purposes shall be limited to the building envelopes established with the tentative tract map and minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- m. The applicant shall show the building envelopes as shown on Exhibit A and open space easements as shown on Exhibit E on an additional map sheet. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be constructed within the building envelopes. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for Lots 4, 5, 6, and 7. No soil disturbance or activities except passive recreation are allowed outside of the building envelopes on Lots 4, 5, 6, and 7, nor within the designated open space on Lots 1, 2, and 3.
- n. There shall be no cutting, alteration or disturbance of the existing wetland area (as shown on the attached Exhibit C) during or after construction.
- o. **Prior to issuance of grading or construction permits**, building envelopes shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing, where wetland area has been identified on Exhibit C, sturdy high-visibility fencing shall be installed to protect this area. This fencing shall be placed as far away as possible and no closer than 25 feet from the edge of existing wetland edge. No construction work (including storage of materials) shall occur outside of the building envelopes. Any required fencing shall remain in place during the entire construction period and checked as needed by the Environmental Monitor.
- p. The applicant agrees to have the wetland area monitored and maintained continuously every 5 years by a qualified individual (approved by the county). **Prior to final inspection**, the applicant agrees to secure a bond with the county to cover the costs of monitoring and maintaining the site for a minimum 10-year period.

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- q. **Prior to issuance of grading or construction permits**, to minimize potential sedimentation within the wetland areas to be protected as shown on Exhibit C, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the wetland. At a minimum, straw wattles (or comparably effective devices [as determined by the Environmental Monitor]) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.
- r. **Prior to issuance of grading or construction permits**, the applicant shall pay an in-lieu fee as directed by County Public Works into a wetland restoration fund for impacts to the wetland along the road shoulder.
- s. **Prior to final inspection of construction permit**, the applicant shall replace, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, the applicant shall plant, in kind at a 2:1 ratio, all oak trees impacted as a result of the development of the project. No more than 29 oak trees shall be removed as a result of the development of the project and no more than 29 additional oak trees shall be impacted, but not removed (as shown on the attached Exhibit B). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- t. Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- u. These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- v. Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- w. All oak trees identified to remain (see attached Exhibit B) shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up

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to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g. pavement); disturbance of soil that impacts roots (e.g., tilling).

- x. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
- y. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental drainage plan for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- z. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental sedimentation and erosion control plan for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- aa. **Prior to issuance of grading or construction permits**, the applicant shall submit plans that incorporate all mitigation measures listed in the soils engineering report and slope stability analysis.
- bb. **Prior to issuance of a grading or building permit**, the applicant shall provide a written statement from the water purveyor that an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.
- cc. The applicant shall include a note on the additional map sheet stating that each new lot will be limited to one primary residence, and that no secondary residences will be permitted.

### **Covenants, Conditions and Restrictions**

- 33. The developer shall submit proposed covenants, conditions, and restrictions for the subdivision to the county Department of Planning and Building for review and approval. The CC&R's shall provide at a minimum the following provisions:
  - a. On-going maintenance of drainage basin / adjacent landscaping in a viable condition on a continuing basis into perpetuity.
  - b. **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface

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on the project plans. New development shall not exceed 25 feet above the existing ground surface.

- c. **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.
- d. **During grading/construction for the proposed subdivision improvements and construction**, the applicant shall limit the manzanita (Wells' manzanita – [*Arctostaphylos wellsii*] removal to those areas shown on the attached Exhibit F. The applicant shall replace, in kind at a 3:1 ratio, all manzanita removed as a result of the development of the project. All other construction and grading activities shall avoid impacts to the remaining manzanita on the subject property. Prior to additional manzanita removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.
- e. **Prior to commencement of any vegetation removal or grading work**, all manzanita to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable constructions plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- f. The newly planted manzanita shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering (e.g. drip-irrigation system). Watering should be controlled so only enough is used to initially establish the manzanita, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- g. Once the new manzanita has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.

- h. During grading/construction for the proposed project, the applicant shall limit the straight-awned spineflower [*Chorizanthe rectispina*] removal to those areas shown on the attached Exhibit G. All other construction and grading activities shall avoid impacts to the remaining straight-awned spineflower on the subject property. Prior to additional straight-awned spineflower removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.
- i. The newly planted straight-awned spineflower shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering. Watering should be controlled so only enough is used to initially establish the straight-awned spineflower, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- j. Once the new straight-awned spineflower has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- k. To minimize impacts to the sensitive habitat, the applicant agrees to the following during construction and for the life of the project:
  - i. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
  - ii. Vegetation removal of native habitat shall be limited to what is shown on the county-approved tentative tract map/additional map sheet.
  - iii. Vegetation clearance for fire safety purposes shall be limited to the building envelopes established with the tentative tract map and minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- l. The applicant shall show the building envelopes as shown on Exhibit A and open space easements as shown on Exhibit E on an additional map sheet. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be constructed within the building envelopes. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for Lots 4, 5, 6, and 7. No soil disturbance or activities except passive recreation are allowed outside of the building envelopes on Lots 4, 5, 6, and 7, nor within the designated open space on Lots 1, 2, and 3.

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- m. There shall be no cutting, alteration or disturbance of the existing wetland area (as shown on the attached Exhibit C) during or after construction.
- n. **Prior to issuance of grading or construction permits**, building envelopes shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing, where wetland area has been identified on Exhibit C, sturdy high-visibility fencing shall be installed to protect this area. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing wetland edge. No construction work (including storage of materials) shall occur outside of the building envelopes. Any required fencing shall remain in place during the entire construction period and checked as needed by the Environmental Monitor.
- o. The applicant agrees to have the wetland area monitored and maintained continuously every 5 years by a qualified individual (approved by the county). **Prior to final inspection**, the applicant agrees to secure a bond with the county to cover the costs of monitoring and maintaining the site for a minimum 10-year period.
- p. **Prior to issuance of grading or construction permits**, to minimize potential sedimentation within the wetland areas to be protected as shown on Exhibit C, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the wetland. At a minimum, straw wattles (or comparably effective devices [as determined by the Environmental Monitor]) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.
- q. **Prior to issuance of grading or construction permits**, the applicant shall pay an in-lieu fee as directed by County Public Works into a wetland restoration fund for impacts to the wetland along the road shoulder.
- r. **Prior to final inspection of construction permit**, the applicant shall replace, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, the applicant shall plant, in kind at a 2:1 ratio, all oak trees impacted as a result of the development of the project. No more than 29 oak trees shall be removed as a result of the development of the project and no more than 29 additional oak trees shall be impacted, but not removed (as shown on the attached Exhibit B). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- s. Location of newly planted trees should adhere to the following, whenever possible:  
on the north side of and at the canopy/dripline edge of existing mature native trees;  
on north-facing slopes; within drainage swales (except when riparian habitat

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present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).

- t. These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- u. Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- v. All oak trees identified to remain (see attached Exhibit B) shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless “establishing” new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g. pavement); disturbance of soil that impacts roots (e.g., tilling).
- w. Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist’s techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.
- x. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental drainage plan for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- y. **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental sedimentation and erosion control plan for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- z. **Prior to issuance of grading or construction permits**, the applicant shall submit plans that incorporate all mitigation measures listed in the soils engineering report and slope stability analysis.

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- aa. **Prior to issuance of a grading or building permit**, the applicant shall provide a written statement from the water purveyor that an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.
- bb. The applicant shall include a note on the additional map sheet stating that each new lot will be limited to one primary residence, and that no secondary residences will be permitted.

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**Miscellaneous**

34. This subdivision is also subject to the standard conditions of approval for all subdivisions using individual wells and septic tanks, a copy of which is attached hereto and incorporated by reference herein as though set forth in full.
35. A stormwater pollution plan may be necessary from the Regional Water Quality Control Board. Provide evidence that it has been obtained or is unnecessary prior to filing the map.

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STANDARD CONDITIONS OF APPROVAL FOR SUBDIVISIONS  
USING INDIVIDUAL WELLS AND SEPTIC TANKS

1. Each parcel shall have its own private well(s) for a domestic water supply approved by the county Health Department, except as set forth in 2C.
2. Operable water facilities shall exist prior to the filing of the final parcel map. Evidence of adequate and potable water, shall be submitted to the county Health Department, including the following:
  - A. (Potability) A complete on-site chemical analysis shall be submitted for evaluation for each of the parcels created or as required.
  - B. (Adequacy) On individual parcel wells or test holes, a minimum four (4) hour pump test performed by a licensed and bonded well driller or pump testing business shall be submitted for review and approval for each of the new parcels created.
  - C. If the applicant desires purveying water to two (2) or more parcels or an average of 25 or more residents or non-residents (employees, campers, etc.) on a daily basis at least sixty (60) days out of the year, application shall be made to the county Health Department for a domestic water supply permit prior to the filing of the final map. A bond may be used for operable water facilities (except well(s)). Necessary legal agreements, restrictions and registered civil engineer designed plans, in conformance with state and county laws and standards shall be submitted by the applicant and reviewed and approved by County Public Works and the county Health Department, prior to the filing of the final map.
3. On-site systems that are in conformance with the county-approved Central Coast Regional Water Quality Control Board basin plan will be an acceptable method of sewage disposal until community sewers may become available.
4. No sewage disposal system installations are to be placed closer than 100 feet from the top of any perennial or continuous creek banks, drainage swales or areas subject to inundation.
5. Sewage disposal systems shall be separated from any individual domestic well and/or agricultural well, as follows: 1) leaching areas, feed lots, etc., one hundred (100) feet and bored seepage pits (dry wells), one hundred and fifty (150) feet. Domestic wells intended to serve multiple parcels or 25 or more individuals at least 60 days out of the year shall be separated by a minimum of two hundred (200) feet from a leachfield, two hundred and fifty (250) feet from seepage pits or dry wells.
6. Sewage disposal systems installed on slopes in excess of 20% shall be designed and certified by a registered civil engineer or geologist and submitted to the county Planning Department for review and approval prior to the issuance of a building permit. Consultants shall determine geologically stable building sites and sewage disposal for each parcel, including evaluations of hillside stability under the most adverse conditions

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including rock saturation and seismic forces. Slopes in excess of 30% are not considered suitable or practical for subsurface sewage disposal.

7. An encroachment permit shall be obtained from county Public Works for any work to be done within the county right-of-way.
8. An encroachment permit shall be obtained from the California Department of Transportation for any work to be done on the state highway.
9. Any existing reservoir or drainage swale on the property shall be delineated on the map.
10. Prior to submission of the map "checkprints" to county Public Works, the project shall be reviewed by all applicable public utility companies and a letter be obtained indicating required easements.
11. Required public utility easements shall be shown on the map.
12. Approved street names shall be shown on the map.
13. The applicant shall comply with state, county and district laws/ordinances applicable to fire protection and consider increased fire risk to area by the subdivision of land proposed.
14. The developer shall submit a preliminary subdivision guarantee to county Public Works for review prior to the filing of the map.
15. Any private easements on the property shall be shown on the map with recording data.
16. All conditions of approval herein specified, unless otherwise noted, shall be complied with prior to the filing of the map.
17. After approval by the Review Authority, compliance with the preceding conditions will bring the proposed subdivision in conformance with the Subdivision Map Act and county ordinances.
18. A map shall be filed in accordance with Subdivision Map Act and county ordinance prior to sale, lease, or financing of the lots proposed by the subdivision.
19. A tentative map will expire 24 months from the effective date of the approval. Tentative maps may be extended. Written requests with appropriate fees must be submitted to the Planning Department prior to the expiration date. The expiration of tentative maps will terminate all proceedings on the matter.



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## COUNTY OF SAN LUIS OBISPO

FOR OFFICIAL USE ONLY (BP)

### MITIGATED NEGATIVE DECLARATION & NOTICE OF DETERMINATION

ENVIRONMENTAL DETERMINATION NO. ED03-232

DATE: July 22, 2005

PROJECT/ENTITLEMENT: Godfrey Tract Map S030062T/ TR 2574

APPLICANT NAME: Mark Godfrey

ADDRESS: 1760 San Luis Drive, San Luis Obispo, CA 93401

CONTACT PERSON: Same as applicant

Telephone: 805-459-2811

**PROPOSED USES/INTENT:** Request by Mark Godfrey to subdivide an existing 19.2-acre parcel into seven parcels ranging from 2.50 to 3.15 acres each, for the sale and/or development of each proposed parcel.

**LOCATION:** The project is located at the northeast corner of Badger Canyon Lane and Fox Canyon Lane, approximately 600 feet west of Corbett Canyon Road, 1.4 miles northeast of the City of Arroyo Grande, in the San Luis Bay (Inland) planning area.

**LEAD AGENCY:** County of San Luis Obispo Department of Planning & Building  
County Government Center, Rm. 310  
San Luis Obispo, CA 93408-2040

**OTHER POTENTIAL PERMITTING AGENCIES:** None

**ADDITIONAL INFORMATION:** Additional information pertaining to this environmental determination may be obtained by contacting the above Lead Agency address or (805) 781-5600.

**COUNTY "REQUEST FOR REVIEW" PERIOD ENDS AT** .....5 p.m. on August 11, 2005

**30-DAY PUBLIC REVIEW PERIOD begins at the time of public notification**

#### Notice of Determination

State Clearinghouse No. \_\_\_\_\_

This is to advise that the San Luis Obispo County \_\_\_\_\_ as ☐ *Lead Agency*  
☐ *Responsible Agency* approved/denied the above described project on \_\_\_\_\_, and has made the following determinations regarding the above described project:

The project will not have a significant effect on the environment. A Negative Declaration was prepared for this project pursuant to the provisions of CEQA. Mitigation measures were made a condition of the approval of the project. A Statement of Overriding Considerations was not adopted for this project. Findings were made pursuant to the provisions of CEQA.

This is to certify that the Negative Declaration with comments and responses and record of project approval is available to the General Public at:

Department of Planning and Building, County of San Luis Obispo,  
County Government Center, Room 310, San Luis Obispo, CA 93408-2040

Brian Pedrotti

County of San Luis Obispo

Signature

Project Manager Name

Date

Public Agency

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California Department of Fish and Game  
**CERTIFICATE OF FEE EXEMPTION**  
De Minimis Impact Finding

**PROJECT TITLE & NUMBER:** Godfrey Tentative Tract Map ED03-232; S030062T/ TR  
2574

**Project Applicant**

Name: Mark Godfrey  
Address: 1760 San Luis Drive  
City, State, Zip Code: San Luis Obispo, CA 93401  
Telephone #: 805-459-2811

**PROJECT DESCRIPTION/LOCATION:** See attached Notice of Determination

**FINDINGS OF EXEMPTION:**

There is no evidence before this agency that the proposed project has the potential for adverse effect on wildlife resources for one or more of the following reason(s):

- ☐ The project is located in an urbanized area that does not contain substantial fish or wildlife resources or their habitat.
- ☐ The project is located in a highly disturbed area that does not contain substantial fish or wildlife resources or their habitat.
- ☒ The project is of a limited size and scope and is not located in close proximity to significant wildlife habitat.
- ☐ The applicable filing fees have/will be collected at the time of issuance of other County approvals for this project. Reference Document Name and No. \_\_\_\_\_.
- ☐ Other: \_\_\_\_\_

**CERTIFICATION:**

I hereby certify that the lead agency has made the above findings of fact and that, based upon the initial study and the hearing record, the project will not individually or cumulatively have an adverse effect on wildlife resources, as defined in Section 711.2 of the Fish and Game Code.

\_\_\_\_\_  
**Ellen Carroll**, Environmental Coordinator  
County of San Luis Obispo

Date: \_\_\_\_\_



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COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY SUMMARY - ENVIRONMENTAL CHECKLIST

Project Title & No. Godfrey Tract Map ED03-232 (S030062T / TR 2574)

**ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED:** The proposed project could have a "Potentially Significant Impact" for at least one of the environmental factors checked below. Please refer to the attached pages for discussion on mitigation measures or project revisions to either reduce these impacts to less than significant levels or require further study.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Geology and Soils	<input checked="" type="checkbox"/> Recreation
<input type="checkbox"/> Agricultural Resources	<input type="checkbox"/> Hazards/Hazardous Materials	<input type="checkbox"/> Transportation/Circulation.
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Noise	<input checked="" type="checkbox"/> Wastewater
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Population/Housing	<input checked="" type="checkbox"/> Water
<input type="checkbox"/> Cultural Resources	<input checked="" type="checkbox"/> Public Services/Utilities	<input type="checkbox"/> Land Use

**DETERMINATION:** (To be completed by the Lead Agency)

On the basis of this initial evaluation, the Environmental Coordinator finds that:

- ☐ The proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- ☒ Although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- ☐ The proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.
- ☐ The proposed project MAY have a "potentially significant impact" or "potentially significant unless mitigated" impact on the environment, but at least one effect 1) has been adequately analyzed in an earlier document pursuant to applicable legal standards, and 2) has been addressed by mitigation measures based on the earlier analysis as described on attached sheets. An ENVIRONMENTAL IMPACT REPORT is required, but it must analyze only the effects that remain to be addressed.
- ☐ Although the proposed project could have a significant effect on the environment, because all potentially significant effects (a) have been analyzed adequately in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (b) have been avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION, including revisions or mitigation measures that are imposed upon the proposed project, nothing further is required.

Brian Pedrotti  
Prepared by (Print)

*B. D. Pedrotti*  
Signature

*7/22/05*  
Date

*John Nall*  
Reviewed by (Print)

*John Nall*  
Signature

Ellen Carroll,  
Environmental Coordinator  
(for)

*7/22/05*  
Date

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### **Project Environmental Analysis**

The County's environmental review process incorporates all of the requirements for completing the Initial Study as required by the California Environmental Quality Act (CEQA) and the CEQA Guidelines. The Initial Study includes staff's on-site inspection of the project site and surroundings and a detailed review of the information in the file for the project. In addition, available background information is reviewed for each project. Relevant information regarding soil types and characteristics, geologic information, significant vegetation and/or wildlife resources, water availability, wastewater disposal services, existing land uses and surrounding land use categories and other information relevant to the environmental review process are evaluated for each project. Exhibit A includes the references used, as well as the agencies or groups that were contacted as a part of the Initial Study. The Environmental Division uses the checklist to summarize the results of the research accomplished during the initial environmental review of the project.

Persons, agencies or organizations interested in obtaining more information regarding the environmental review process for a project should contact the County of San Luis Obispo Environmental Division, Rm. 310, County Government Center, San Luis Obispo, CA, 93408-2040 or call (805) 781-5600.

### **A. PROJECT**

**DESCRIPTION:** Proposal by Mark Godfrey for a tract map to subdivide an existing 19.2-acre parcel into seven parcels ranging in size between 3.15 and 2.50 acres each, for the sale and/or development of each proposed parcel. This is a revised Negative Declaration in accordance with the direction of the Planning Commission to staff on January 13, 2005 to review potential wetlands and the slope stability of the existing quarry on the site. The project is located at the northeast corner of Badger Canyon Lane and Fox Canyon Lane, west of Corbett Canyon Road, in the San Luis Obispo (Inland) planning area.

**ASSESSOR PARCEL NUMBER(S):** 044-501-004

**SUPERVISORIAL DISTRICT #** 3

### **B. EXISTING SETTING**

**PLANNING AREA:** San Luis Bay (Inland), Arroyo Grande Fringe

**LAND USE CATEGORY:** Residential Suburban

**COMBINING DESIGNATION(S):** None

**EXISTING USES:** Residence , accessory structures

**TOPOGRAPHY:** Moderately sloping to steeply sloping

**VEGETATION:** Oak woodland, grasses, manzanita

**PARCEL SIZE:** 19.2 acres

**SURROUNDING LAND USE CATEGORIES AND USES:**

<i>North:</i> Residential Suburban; single-family residence	<i>East:</i> Residential Single Family; single-family residences
<i>South:</i> Residential Suburban; single-family residences	<i>West:</i> Residential Suburban; single-family residence

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**C. ENVIRONMENTAL ANALYSIS**

During the Initial Study process, several issues were identified as having potentially significant environmental effects (see following Initial Study). Those potentially significant items associated with the proposed uses can be minimized to less than significant levels.

**COUNTY OF SAN LUIS OBISPO  
INITIAL STUDY CHECKLIST**

1.	<b>AESTHETICS - Will the project:</b>	<b>Potentially Significant</b>	<b>Impact can &amp; will be mitigated</b>	<b>Insignificant Impact</b>	<b>Not Applicable</b>
a)	<i>Create an aesthetically incompatible site open to public view?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b)	<i>Introduce a use within a scenic view open to public view?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c)	<i>Change the visual character of an area?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d)	<i>Create glare or night lighting which may affect surrounding areas?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e)	<i>Impact unique geological or physical features?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f)	<i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located on the corner of Badger Canyon Lane and Fox Canyon Lane, which are local roads. Corbett Canyon Road runs in a north-south direction perpendicular to Badger Canyon Lane. Surrounding topography in the area is characterized by steep hills vegetated primarily with oak trees and chaparral. The area is primarily Rural Residential and Residential Suburban with scattered residences on predominantly three to five-acre parcels.

**Impacts.** The proposed subdivision will result in seven new parcels of approximately 2.5 acres each, with larger parcels of approximately 3.15 acres each on the higher elevations of the site. Proposed building envelopes for the upper portions of proposed parcels 5, 6, and 7 are situated on elevations which are not anticipated to result in future residences silhouetting against the horizon. However, future residences will be visible from Corbett Canyon Road and surrounding hillsides. The applicant provided site photographs with scaled heights of proposed structures on these lots, which indicated that significant existing landscaping would minimize potential visual impacts from public view.

**Mitigation/Conclusion.** To maintain the rural character of the area, the following measures are proposed to significantly reduce potential impacts: use of darker exterior building materials, limiting the height of the structure(s), and limiting the location of structures. The applicant has agreed to incorporate these measures (see attached Developer's Statement) as a part of the project. Therefore, implementation of these measures will reduce the potential visual impacts to insignificant levels.

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**2. AGRICULTURAL RESOURCES***- Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Convert prime agricultural land to non-agricultural use?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Impair agricultural use of other property or result in conversion to other uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Conflict with existing zoning or Williamson Act program?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The soil types include: Corralitos Sand & Gaviota Sandy Loam

As described in the NRCS Soil Survey, the "non-irrigated" soil class is "VI" , and the "irrigated soil class is "IV".

**Impact.** The property is not under an agricultural preserve contract and consists primarily of non-prime Class IV, VI, and VII soils. The property has fairly steep slopes, which would not be conducive to most agricultural uses, and is zoned for low-density residential uses. The proposed subdivision is consistent with the land use category and existing development patterns and is not anticipated to conflict with any existing agricultural uses.

**Mitigation/Conclusion.** No mitigation measures are necessary.

**3. AIR QUALITY - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any state or federal ambient air quality standard, or exceed air quality emission thresholds as established by County Air Pollution Control District?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Expose any sensitive receptor to substantial air pollutant concentrations?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create or subject individuals to objectionable odors?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be inconsistent with the District's Clean Air Plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> <u>Dust; Cumulative Impacts</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**Setting/Impact.** The project will generate approximately 70 vehicle trips daily. Future grading for residential development will result in both short-term vehicle emissions and the creation of dust during construction.

The project was referred to the Air Pollution Control District (APCD) for potential air quality impacts and consistency with the Clean Air Plan (CAP). The APCD response identified (see attached), that the project is inconsistent with CAP land use strategies. The APCD Clean Air Plan includes land use management strategies to guide decisionmakers on land use approaches that result in improved air quality. This development is somewhat inconsistent with the "Planning Compact Communities" strategy, where increasing development densities within urban areas is preferable over increasing densities in rural areas. Increasing densities in rural areas results in longer single-occupant vehicle trips and increases emissions. In this instance, this partial inconsistency is not considered significant for the following reasons: 1) the proposed density of this subdivision is still consistent with what was assumed in the last update of the Clean Air Plan which, based in part on this density, approved the necessary control measures to achieve acceptable air quality attainment in the future; and 2) standard forecast modeling identifies that vehicles in the near future will produce substantially lower emissions (e.g., use of electric, hybrid and advanced technology vehicles). Based on the above discussion, given the small number of potential new residences, both individual and cumulative impacts are expected to be less than significant as it relates to the Clean Air Plan land use strategies.

**Mitigation/Conclusion.** Based on Table 1-1 of the CEQA Air Quality Handbook, the project will result in less than 10 lbs./day of pollutants, which is below the threshold warranting mitigation. Therefore, no mitigation measures beyond what is required by ordinance are necessary and the potential impacts are considered less than significant.

4. BIOLOGICAL RESOURCES - <i>Will the project:</i>	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a loss of unique or special status species or their habitats?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce the extent, diversity or quality of native or other important vegetation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Impact wetland or riparian habitat?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Introduce barriers to movement of resident or migratory fish or wildlife species, or factors which could hinder the normal activities of wildlife?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The property is within the following habitats: Urban or Built-up Land & Coastal Oak Woodland . The Natural Diversity Database (2002) identified the following sensitive species or habitats within close proximity of the proposed project: Pismo Clarkia (Clarkia speciosa ssp. immaculata) & San Luis Mariposa Lily (Calochortus obispoensis).

Plants: Well's manzanita (Arctostaphylos wellsii) , Pismo clarkia (Clarkia speciosa ssp. immaculata), San Luis Mariposa Lily (Calochortus obispoensis),

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Wildlife: None

Habitats: The property is located within the Santa Barbara vernal pool region.

**Setting.** The property is within the following habitats: Urban or Built-up Land & Coastal Oak Woodland . The Natural Diversity Database (2002) identified the following sensitive species or habitats within close proximity of the proposed project: Pismo Clarkia (*Clarkia speciosa* ssp. *immaculata*) & San Luis Mariposa Lily (*Calochortus obispoensis*).

A Botanical Assessment (Althouse and Meade, Inc., July, 2003) was conducted to determine the presence and extent of special-status plant species. The project site contains a variety of trees including coast live oak, Monterey pine, and eucalyptus. The majority of the site is dominated by maritime chaparral, grasses and forbs. Pismo Clarkia or San Luis Mariposa Lily were not found on the site. Two special status plant species were found during the botanical assessment, including Well's manzanita (*Arctostaphylos wellsii*) and straight-awned spineflower (*Chorizanthe rectispina*). Both species are listed with a California Native Plant Society rating of 1B, indicating that they are rare throughout their range, and judged to be vulnerable under present circumstances. In a follow-up Botanical Assessment two years later (Althouse and Meade, Inc., 2005), the Well's manzanita on the site were surveyed and mapped and an additional sensitive species, San Luis Obispo Indian paintbrush, was found on the property.

**Impact.** The proposed project includes development of residential uses, access road/driveways, and road improvements to Badger Canyon Lane and Fox Canyon Lane. The building sites will impact areas identified as containing Well's manzanita and straight-awned spineflower. The location of the proposed access road and driveway will be the primary factor on oak tree impacts. All construction activities, structures, and septic systems must be located entirely within the building envelopes shown for all lots. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for proposed Lots 4, 5, 6, and 7 and areas outside of the designated open space on proposed Lots 1, 2, and 3 due to the presence of biological resources.

A Wetland Delineation completed for the site (Althouse and Meade, March 2005, revised April 2005), identified state and federal wetlands on the property, including a large spring-fed wetland on the southeast corner (proposed Lot 1) and several smaller wetlands on proposed Lots 4 and 5. Restrictive building envelopes will ensure that impacts to the smaller state designated wetlands on proposed Lots 4 and 5 will be insignificant. The project will result in site disturbance and additional surface runoff from residential development, which may impact the large spring-fed wetland on proposed Lot 1. Proposed road improvements for Badger Canyon Lane will result in impacts to the additional designated wetland on the road shoulder of proposed Lot 1.

**Mitigation/Conclusion.** The project will be required to incorporate mitigation measures to reduce biological resource impacts to less than significant levels. Open space easements shall be dedicated for oak trees, manzanita, and spineflower (Exhibit E). Replacement oak trees will be required to be planted for all removed (4:1 ratio) and impacted oak trees (2:1 ratio) having a six inch diameter or larger at four feet from the ground. Any removal of Well's manzanita will require replacement at a 3:1 ratio as outlined in the developer's statement. Removal of straight-awned spineflower on Lot 5 will require replanting of areas at an area ratio of 2:1 on the designated open space area on Lot 5. As stated above, all construction activities, structures, and septic systems must be located entirely within the building envelopes shown for all lots. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for proposed Lots 4, 5, 6, and 7 and areas outside of the designated open space areas on proposed Lots 1, 2, and 3 due to the presence of biological resources.

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Measures have been included to mitigate for impacts to the existing state and federal wetlands on the property. An additional retention/sedimentation pond shall be provided on proposed Lot 3. Building envelopes have been identified to ensure insignificant impacts to smaller wetlands on proposed Lots 5 and 3. Monitoring of the wetland has been required to check its viability. An in-lieu fee shall be required to mitigate for the road shoulder wetland on proposed Lot 1.

Based on the above discussion, impacts on biological resources are considered to be less than significant.

**5. CULTURAL RESOURCES -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Disturb pre-historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Disturb historic resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Disturb paleontological resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The project is located in an area historically occupied by the Obispeno Chumash. A number of archaeological sites have been found in the Arroyo Grande and Oceano areas.

**Impacts.** A Phase 1 (surface survey) was conducted (Gibson; May 2003) to determine the existence of archaeological/cultural resources on the site. Though there are archeological resources in the Arroyo Grande and Oceano areas, no resources were identified on the subject property as a result of the Phase 1 survey. The existing structures on the property would not be considered historic.

**Mitigation/Conclusion.** No mitigation measures are necessary.

**6. GEOLOGY AND SOILS -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in exposure to or production of unstable earth conditions, such as landslides, earthquakes, liquefaction, ground failure, land subsidence or other similar hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be within a CA Dept. of Mines &amp; Geology Earthquake Fault Zone (formerly Alquist Priolo)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Result in soil erosion, topographic changes, loss of topsoil or unstable soil conditions from project-related improvements, such as vegetation removal, grading, excavation, or fill?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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**6. GEOLOGY AND SOILS -**  
*Will the project:*

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change rates of soil absorption, or amount or direction of surface runoff?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Include structures located on expansive soils?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Change the drainage patterns where substantial on- or off-site sedimentation/ erosion or flooding may occur?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Involve activities within the 100-year flood zone?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
h) <i>Be inconsistent with the goals and policies of the County's Safety Element relating to Geologic and Seismic Hazards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Preclude the future extraction of valuable mineral resources?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
j) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** GEOLOGY - The topography of the project is moderately sloping to steeply sloping. The area proposed for development is outside of the Geologic Study Area designation. The landslide risk potential is considered low. The liquefaction potential during a ground-shaking event is considered low. No active faulting is known to exist on or near the subject property. Several capable faults run in a northwesterly direction, approximately 1.3 mile northeast of the project. There is no evidence that measures above what will already be required by ordinance are needed. The project is not within a known area containing serpentine or ultramafic rock or soils.

**DRAINAGE** – An unnamed creek runs parallel to the eastern border of the property, approximately 800 feet away. The area proposed for development is outside of the 100-year Flood Hazard designation. As described in the NRCS Soil Survey, these soils are very poorly to well-drained. No specific measures above what will already be required by ordinance are considered necessary.

**SEDIMENTATION AND EROSION** - The soil types include: Corralitos Sand & Gaviota Sandy Loam. The site has been extensively modified by past quarry operations. Haul roads and pit areas exist on the upper elevations of the property. A large excavation related to the quarry operation exists in the northwest corner (proposed Lot 6). The topography of the site varies from nearly level to nearly vertical.

As described in the NRCS Soil Survey, the soil surface is considered to have low to high erodibility, and low shrink-swell characteristics.

**Impacts.** Erosion of graded areas and discharge of sediment down gradient will likely result, if adequate temporary and permanent measures are not taken before, during and after vegetation removal and grading. If not properly mitigated, these impacts both on the project site and within the surrounding areas may be significant. A Slope Stability Evaluation (Geosolutions, March 3, 2005 and addendum May 17, 2005), identified a low potential for destabilization and failure of the vertical slopes

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of the quarry excavation. The report also assumes a certain amount of debris collection as a slow but on-going process at the base of the quarry face.

A sedimentation and erosion control plan shall be prepared (per County Land Use Ordinance sec. 22.05.036) and incorporated into the project to minimize sedimentation and erosion. The plan will need to be prepared by a registered civil engineer and address the following to minimize temporary and long-term sedimentation and erosion: slope surface stabilization, erosion and sedimentation control devices and final erosion control measures. Implementation of the sedimentation and erosion control plan will reduce potential sedimentation and erosion impacts to less than significant levels.

**Mitigation/Conclusion.** The attached developer's statement requires a drainage plan and sedimentation/erosion control plan prior to issuance of construction permits. The drainage plan shall show drainage directed away from existing oak trees to avoid impacts to the trees. In addition, the mitigation measures include incorporation of all recommendations of the soil engineering report and the slope stability evaluation. Incorporation of these measures shall reduce the potential for impact to a level of insignificance.

**7. HAZARDS & HAZARDOUS MATERIALS - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Result in a risk of explosion or release of hazardous substances (e.g. oil, pesticides, chemicals, radiation) or exposure of people to hazardous substances?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Interfere with an emergency response or evacuation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Expose people to safety risk associated with airport flight pattern?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Increase fire hazard risk or expose people or structures to high fire hazard conditions?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) <i>Create any other health hazard or potential hazard?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The project is located in an area designated as a High Fire Severity Zone, and is located within the 15-minute response time area. The plan was reviewed by CDF/County Fire, which recommended specific fire safety measures including sprinkler systems for each residence, a water storage tank with residential fire connection, and fuel modification breaks. These measures will reduce the safety impacts to a level of insignificance. The project is not expected to conflict with any regional evacuation plan.

The City of Arroyo Grande has recommended denial of the project due to concerns with density and fire response issues. They have indicated that the nearest CDF/County fire station is far from the project. The project is located approximately 8 miles from the nearest CDF/County fire station on the south side of the City of San Luis Obispo, which is sufficient to provide the appropriate response time.

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**Mitigation.** No additional mitigation measures beyond what is required by ordinance or code are necessary.

8. NOISE - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Expose people to noise levels which exceed the County Noise Element thresholds?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Generate increases in the ambient noise levels for adjoining areas?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Expose people to severe noise or vibration?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Other _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** The subject property is located in a rural area, west of Corbett Canyon Road. The current noise levels in this area do not exceed the County Noise Element thresholds.

**Impacts.** Future potential construction of single-family residences are not expected to increase the ambient noise levels in the area, although as with all construction activities, use of heavy machinery is expected to create a temporary increase in noise levels in the immediate area. The subdivision of property will not generate, nor is it exposed to significant stationary or transportation-related noise sources; therefore, no significant noise impacts are expected to occur.

**Mitigation/Conclusion.** No mitigation measures are necessary.

9. POPULATION/HOUSING - Will the project:	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) Induce substantial growth in an area either directly or indirectly (e.g., through projects in an undeveloped area or extension of major infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) Displace existing housing or people, requiring construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) Create the need for substantial new housing in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) Use substantial amount of fuel or energy?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**9. POPULATION/HOUSING -**

*Will the project:*

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

e) *Other* \_\_\_\_\_

☐
☐
☐
☐

**Setting/Impact.** The proposed subdivision will result in the creation of seven new lots, which could be developed with seven single-family dwelling units in the future. The subdivision will not induce substantial growth in the area. No housing will be displaced. The project will not result in the need for a significant amount of new housing. Future potential development of seven single-family dwellings will not result in use of a substantial amount of fuel or energy.

**Mitigation/Conclusion.** The project will not result in a need for a significant amount of new housing, and will not displace existing house. Therefore, no significant population and housing impacts are expected to occur.

**10. PUBLIC SERVICES/UTILITIES -**

*Will the project have an effect upon,  
or result in the need for new or  
altered public services in any of the  
following areas:*

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

a) *Fire protection?*

☐
☒
☐
☐

b) *Police protection (e.g., Sheriff, CHP)?*

☐
☒
☐
☐

c) *Schools?*

☐
☒
☐
☐

d) *Roads?*

☐
☐
☒
☐

e) *Solid Wastes?*

☐
☐
☒
☐

f) *Other public facilities?*

☐
☐
☒
☐

g) *Other* \_\_\_\_\_

☐
☐
☐
☐

**Setting.** The project area is served by the County Sheriff's Department and CDF/County Fire as the primary emergency responders. The closest CDF fire station (San Luis Obispo Airport Station) is approximately 8 miles to the North. The closest Sheriff substation is in Oceano, which is approximately 8 miles from the proposed project. The project is located in the Lucia Mar Unified School District.

**Impact.** The project direct and cumulative impacts are within the general assumptions of allowed use for the subject property that was used to estimate the fees in place.

**Mitigation/Conclusion.** Public facility and school fee programs have been adopted to address the project's direct and cumulative impacts, and will reduce the impacts to less than significant levels.

**11. RECREATION - Will the project:**

Potentially  
Significant

Impact can  
& will be  
mitigated

Insignificant  
Impact

Not  
Applicable

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**11. RECREATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase the use or demand for parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
b) <i>Affect the access to trails, parks or other recreation opportunities?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** The County Trails Plan does not show a future trail being considered on the subject property. The project is not proposed in a location that will affect any trail, park or other recreational resource, and will not create a significant need for additional park or recreational resources. This project, along with numerous others, will increase the demand for recreation facilities. These impacts will be mitigated through the payment of Quimby fees and public facilities fees prior to map recordation and building permit issuance respectively. Quimby fees are used in lieu of dedication of land for park and recreational facilities to provide funds for maintenance of existing parks and acquisition of land.

**Mitigation.** Prior to final map recordation, County ordinance requires the payment of a fee for the improvement or development of neighborhood or community parks. These "Quimby" fees will adequately mitigate the project's impact on recreational facilities.

**12. TRANSPORTATION/ CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Increase vehicle trips to local or areawide circulation system?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Reduce existing "Levels of Service" on public roadway(s)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Create unsafe conditions on public roadways (e.g., limited access, design features, sight distance, slow vehicles)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Provide for adequate emergency access?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Result in inadequate parking capacity?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Result in inadequate internal traffic circulation?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
g) <i>Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., pedestrian access, bus turnouts, bicycle racks, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**12. TRANSPORTATION/  
CIRCULATION - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
h) <i>Result in a change in air traffic patterns that may result in substantial safety risks?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
i) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impacts** - The project site is located on the northeast corner of Badger Canyon Lane and Fox Canyon Lane. Both are local paved roads, and project access will be off an access road that intersects each road. Future development of the seven residential parcels is estimated to generate a total of 70 daily vehicle trips. County Public Works will require the developer to construct Badger Canyon Lane and Fox Canyon Lane to A-1 (rural) standard, which will include a dedication of 10 additional feet of right-of-way on Badger Canyon Lane.

**Mitigation/Conclusion** – Since no significant impacts were identified, no specific traffic-related mitigation measures are necessary.

**13. WASTEWATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate waste discharge requirements or Central Coast Basin Plan criteria for wastewater systems?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Change the quality of surface or ground water (e.g., nitrogen-loading, daylighting)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Adversely affect community wastewater service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting.** Based on Natural Resource Conservation Service (NRCS) Soil Survey map, the soil type where the on-site wastewater system will be placed is Corralitos Sand & Gaviota Sandy Loam.

Based on the NRCS Soil Survey, the main limitation(s) of this soil for wastewater effluent include: Depth to Rock, Excessive Slope, and Poor filtering.

- **poor filtering characteristics** due to the very permeable soil; the permeable soil, without special engineering will require larger separations between the leach lines and the groundwater basin to provide adequate filtering of the effluent. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit, such as soil borings at leach line locations, to show that there will be adequate separation.
- **shallow depth to bedrock**, which is an indication that there may not be sufficient soil depth to provide adequate soil filtering of effluent before reaching bedrock. Once effluent reaches bedrock, the chances increase for the effluent to infiltrate cracks that could lead directly to groundwater

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source or surrounding wells without adequate filtering, or allow for daylighting of effluent where bedrock is exposed to the earth's surface. To achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit, such as soil borings at leach line locations, to show that there will be adequate distance between leach line and bedrock.

- **steep slopes**, where portions of the soil unit contain slopes steep enough to result in potential daylighting of wastewater effluent; to achieve compliance with the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit, such as slope comparison with leach line depths, to show that there is no potential of effluent "daylighting" to the ground surface.

The on-site system needs at least five feet between the bottom of the leach line to the saturated soil (e.g. high groundwater) that contains soil that does not remain in a saturated condition for any length of time. Otherwise, special engineering will be required to provide this separation. Prior to building permit approval, it must be shown to the satisfaction of the county that future leach lines of a new septic system show that at least a 5' separation will exist between the bottom of the trench and the top of the high groundwater area. An engineered system may be required to achieve Basin Plan requirements.

**Impact.** The project proposes to use on-site septic systems to handle wastewater effluent. Based on general knowledge of the area and the response received from the Environmental Health Division, it is expected that there will be adequate separation for filtering of effluent before reaching any groundwater source. New leach lines should be located on slopes that are less steep to avoid daylighting of effluent. Percolation tests were performed for each individual lot, excluding the lot with the existing single-family residence. Average percolation rates for five of the lots were within the acceptable range. Lot 5 had an average percolation rate of over 60 minutes/inch, and therefore an engineered septic system will be required for this lot.

**Mitigation/Conclusion.** Prior to final inspection of the wastewater system, the applicant will need to show compliance with the Central Coast Basin Plan, which should provide adequate measures to reduce potential impacts to less than significant levels. In addition to following the Central Coast Basin Plan, additional information will be needed prior to issuance of a building permit as follows: soil borings at leach line location showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met as required by Title 19, Building and Construction Ordinance.

#### 14. WATER - Will the project:

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Violate any water quality standards?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Discharge into surface waters or otherwise alter surface water quality (e.g., turbidity, temperature, dissolved oxygen, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Change the quality of groundwater (e.g., saltwater intrusion, nitrogen-loading, etc.)?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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**14. WATER - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
d) <i>Change the quantity or movement of available surface or ground water?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Adversely affect community water service provider?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
f) <i>Other</i> _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Impact/Setting – Water Supply.** The project proposes to use on-site wells as its water source. Based on the project description and a restriction on the development of secondary residences on the property, as shown below, a reasonable “worst case” indoor water usage would likely be about 10.08 acre-feet/year (afy):

7 residential lots (w/ primary only (or 1.44 afy) X 7 lots = 10.08 afy

Source: “City of Santa Barbara Water Demand Factor & Conservation Study ‘User Guide’” (Aug., 1989)

The County Environmental Health Division has reviewed the proposed project and recommended stock conditions of approval for individual wells and on-site septic systems. In addition, comprehensive water data will be required for both parcels, which will include a well completion report, pump test, and complete chemical analysis.

**Impact/Setting - Surface Water Quality.** As proposed, the project will result in the disturbance of approximately 7 acres. The topography of the site is moderately to steeply sloping. An unnamed creek runs parallel to the eastern border of the property, approximately 800 feet away. A Wetland Delineation completed for the site (Althouse and Meade, March 2005, revised April 2005), identified state and federal wetlands on the property, including a large spring-fed wetland on the southeast corner (proposed Lot 1) and several smaller wetlands on proposed Lots 4 and 5. Restrictive building envelopes will ensure that impacts to the smaller state designated wetlands on proposed Lots 4 and 5 will be insignificant. The project will result in site disturbance and additional surface runoff from residential development, which may impact the large spring-fed wetland on proposed Lot 1. Proposed road improvements for Badger Canyon Lane will result in impacts to the additional designated wetland on the road shoulder of proposed Lot 1.

**Mitigation/Conclusion.** Measures have been included to mitigate for impacts to the existing state and federal wetlands on the property. An additional retention/sedimentation pond shall be provided on proposed Lot 3. Building envelopes have been identified to ensure insignificant impacts to smaller wetlands on proposed Lots 5 and 3. Monitoring of the wetland has been required to check its viability. An in-lieu fee shall be required to mitigate for the road shoulder wetland on proposed Lot 1.

To assure that adequate water will be available for the proposed development, the project will be subject to County’s Title 19 (Building and Construction Ordinance, Sec. 19.20.238), which states that no grading or building permit shall be issued until either the water purveyor provides a written statement that potable water service will be provided (community systems), or an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval. Based on these mitigation measures, potential water quality impacts are either insignificant or will be reduced to less than significant levels.

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**15. LAND USE - Will the project:**

	Inconsistent	Potentially Inconsistent	Consistent	Not Applicable
a) <i>Be potentially inconsistent with land use, policy/regulation (e.g., general plan [county land use element and ordinance], local coastal plan, specific plan, Clean Air Plan, etc.) adopted to avoid or mitigate for environmental effects?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
b) <i>Be potentially inconsistent with any habitat or community conservation plan?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
c) <i>Be potentially inconsistent with adopted agency environmental plans or policies with jurisdiction over the project?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
d) <i>Be potentially incompatible with surrounding land uses?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
e) <i>Other _____</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

**Setting/Impact.** Surrounding uses are identified on Page 2 of the Initial Study. The proposed project was reviewed for consistency with policy and/or regulatory documents relating to the environment and appropriate land use (e.g., County Land Use Ordinance, Local Coastal Plan, etc.). Referrals were sent to outside agencies to review for policy consistencies (e.g., CDF for Fire Code, APCD for Clean Air Plan, etc.). The project was found to be consistent with these documents (refer also to Exhibit A on reference documents used).

The project is not within or adjacent to a Habitat Conservation Plan area. The project is consistent or compatible with the surrounding uses as summarized on page 2 of this Initial Study.

**Mitigation/conclusion.** No inconsistencies were identified and therefore no additional measures above what will already be required was determined necessary.

**16. MANDATORY FINDINGS OF SIGNIFICANCE - Will the project:**

	Potentially Significant	Impact can & will be mitigated	Insignificant Impact	Not Applicable
a) <i>Have the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?</i>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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b) **Have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current project's, and the effects of probable future projects)**

☐☒☐☐

c) **Have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?**

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For further information on CEQA or the county's environmental review process, please visit the County's web site at "www.sloplanning.org" under "Environmental Review", or the California Environmental Resources Evaluation System at "http://ceres.ca.gov/topic/env\_law/ ceqa/ guidelines/" for information about the California Environmental Quality Act.

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**Exhibit A - Initial Study References and Agency Contacts**

The County Planning or Environmental Division have contacted various agencies for their comments on the proposed project. With respect to the subject application, the following have been contacted (marked with an ☒) and when a response was made, it is either attached or in the application file:

<u>Contacted</u>	<u>Agency</u>	<u>Response</u>
<input checked="" type="checkbox"/>	County Public Works Department	Attached
<input checked="" type="checkbox"/>	County Environmental Health Division	Attached
<input checked="" type="checkbox"/>	County Agricultural Commissioner's Office	Attached
<input type="checkbox"/>	County Airport Manager	Not Applicable
<input type="checkbox"/>	Airport Land Use Commission	Not Applicable
<input checked="" type="checkbox"/>	Air Pollution Control District	Attached
<input type="checkbox"/>	County Sheriff's Department	Not Applicable
<input type="checkbox"/>	Regional Water Quality Control Board	Not Applicable
<input type="checkbox"/>	CA Coastal Commission	Not Applicable
<input type="checkbox"/>	CA Department of Fish and Game	Not Applicable
<input checked="" type="checkbox"/>	CA Department of Forestry	Attached
<input type="checkbox"/>	CA Department of Transportation	Not Applicable
<input checked="" type="checkbox"/>	County Parks and Recreation	Attached
<input checked="" type="checkbox"/>	Other <u>City of Arroyo Grande</u>	Attached
<input type="checkbox"/>	Other <u>Lucia Mar Unified School District</u>	None

**\*\* "No comment" or "No concerns"-type responses are usually not attached**

The following checked ("☒") reference materials have been used in the environmental review for the proposed project and are hereby incorporated by reference into the Initial Study. The following information is available at the County Planning and Building Department.

<input checked="" type="checkbox"/> Project File for the Subject Application	<input checked="" type="checkbox"/> San Luis Bay (Inland) Area Plan and Update EIR
<u>County documents</u>	<input type="checkbox"/> Circulation Study
<input type="checkbox"/> Airport Land Use Plans	<u>Other documents</u>
<input checked="" type="checkbox"/> Annual Resource Summary Report	<input checked="" type="checkbox"/> Archaeological Resources Map
<input type="checkbox"/> Building and Construction Ordinance	<input checked="" type="checkbox"/> Area of Critical Concerns Map
<input type="checkbox"/> Coastal Policies	<input checked="" type="checkbox"/> Areas of Special Biological Importance Map
<input checked="" type="checkbox"/> Framework for Planning (Coastal & Inland)	<input checked="" type="checkbox"/> California Natural Species Diversity Database
<input checked="" type="checkbox"/> General Plan (Inland & Coastal), including all maps & elements; more pertinent elements considered include:	<input checked="" type="checkbox"/> Clean Air Plan
<input checked="" type="checkbox"/> Agriculture & Open Space Element	<input checked="" type="checkbox"/> Fire Hazard Severity Map
<input checked="" type="checkbox"/> Energy Element	<input checked="" type="checkbox"/> Flood Hazard Maps
<input checked="" type="checkbox"/> Environment Plan (Conservation, Historic and Esthetic Elements)	<input checked="" type="checkbox"/> Natural Resources Conservation Service Soil Survey for SLO County
<input checked="" type="checkbox"/> Housing Element	<input checked="" type="checkbox"/> Regional Transportation Plan
<input checked="" type="checkbox"/> Noise Element	<input checked="" type="checkbox"/> Uniform Fire Code
<input checked="" type="checkbox"/> Parks & Recreation Element	<input checked="" type="checkbox"/> Water Quality Control Plan (Central Coast Basin – Region 3)
<input checked="" type="checkbox"/> Safety Element	<input checked="" type="checkbox"/> GIS mapping layers (e.g., habitat, streams, contours, etc.)
<input checked="" type="checkbox"/> Land Use Ordinance	<input type="checkbox"/> Other _____
<input checked="" type="checkbox"/> Real Property Division Ordinance	
<input checked="" type="checkbox"/> Trails Plan	
<input type="checkbox"/> Solid Waste Management Plan	

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In addition, the following project specific information and/or reference materials have been considered as a part of the Initial Study:

- *Phase 1 Archaeological Survey, Robert O. Gibson (May 28, 2003)*
- *Botanical Assessment, Althouse & Meade, Inc. (July 2003, revised May 2005)*
- *Wetland Delineation, Althouse & Meade, Inc. (March 2005, revised April 19, 2005)*
- *Soils Engineering Report, GeoSolutions, Inc. (July 9, 2003)*
- *Percolation Testing Evaluation, GeoSolutions, Inc. (July 14, 2003)*

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## Exhibit B - Mitigation Summary Table

### Aesthetics

- VS-1 **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface.
- VS-2 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.

### Biological Resources

- BR-1 **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate number of manzanita plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of manzanita to be replanted.
- BR-2 **During grading/construction for the proposed subdivision improvements and construction**, the applicant shall limit the manzanita (Wells' manzanita – [*Arctostaphylos wellsi*]) removal to those areas shown on the attached Exhibit D. The applicant shall replace, in kind at a 3:1 ratio, all manzanita removed as a result of the development of the project. All other construction and grading activities shall avoid impacts to the remaining manzanita on the subject property. Prior to additional manzanita removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.
- BR-3 **Prior to commencement of any vegetation removal or grading work**, all manzanita to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable constructions plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- BR-4 The newly planted manzanita shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering (e.g. drip-irrigation system). Watering should be controlled so only enough is used to initially establish the manzanita, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be

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avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.

- BR-5 Once the new manzanita has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- BR-6 **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate area of straight-awned spineflower plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of straight-awned spineflower to be replanted. Replanting shall be done on the same lot as removed wherever possible.
- BR-7 During grading/construction for the proposed project, the applicant shall limit the straight-awned spineflower [*Chorizanthe rectispina*] removal to those areas shown on the attached Exhibit D. All other construction and grading activities shall avoid impacts to the remaining straight-awned spineflower on the subject property. Prior to additional straight-awned spineflower removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of constructions permits, replanting area(s) shall be clearly shown on construction plans.
- BR-8 The newly planted straight-awned spineflower shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering. Watering should be controlled so only enough is used to initially establish the straight-awned spineflower, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- BR-9 Once the new straight-awned spineflower has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- BR-10 To minimize impacts to the sensitive habitat, the applicant agrees to the following during construction and for the life of the project:
- a. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
  - b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved tentative tract map/additional map sheet.
  - c. Vegetation clearance for fire safety purposes shall be limited to the building envelopes established with the tentative tract map and minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as

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possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).

- BR-11 **Prior to recordation of the final map**, the applicant shall show the building envelopes as shown on Exhibit A and open space easements as shown on Exhibit E on an additional map sheet. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be constructed within the building envelopes. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for Lots 4, 5, 6, and 7. No soil disturbance or activities except passive recreation are allowed outside of the building envelopes on Lots 4, 5, 6, and 7, nor within the designated open space on Lots 1, 2, and 3.
- BR-12 **At the time of application for construction permits**, the applicant shall clearly delineate the building site(s) on the project plans, as shown on the attached Exhibit A. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be located within the building site(s).
- BR-13 There shall be no cutting, alteration or disturbance of the existing wetland area (as shown on the attached Exhibit C) during or after construction.
- BR-14 **Prior to issuance of grading or construction permits**, building envelopes shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing, where wetland area has been identified on Exhibit C, sturdy high-visibility fencing shall be installed to protect this area. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing wetland edge. No construction work (including storage of materials) shall occur outside of the building envelopes. Any required fencing shall remain in place during the entire construction period and checked as needed by the Environmental Monitor.
- BR-15 The applicant agrees to have the wetland area monitored and maintained continuously every 5 years by a qualified individual (approved by the county). **Prior to final inspection**, the applicant agrees to secure a bond with the county to cover the costs of monitoring and maintaining the site for a minimum 10-year period.
- BR-16 **Prior to issuance of grading or construction permits**, to minimize potential sedimentation within the wetland areas to be protected as shown on Exhibit C, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the wetland. At a minimum, straw wattles (or comparably effective devices [as determined by the Environmental Monitor]) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.
- BR-17 **Prior to issuance of grading or construction permits**, the applicant shall pay an in-lieu fee as directed by County Public Works into a wetland restoration fund for impacts to the wetland along the road shoulder.

#### **Tree Removal/Protection**

- TR-1 **Prior to final inspection of construction permit**, the applicant shall replace, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, the

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applicant shall plant, in kind at a 2:1 ratio, all oak trees impacted as a result of the development of the project. No more than 29 oak trees shall be removed as a result of the development of the project and no more than 29 additional oak trees shall be impacted, but not removed (as shown on the attached Exhibit B). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).

- TR-2 Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- TR-3 These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- TR-4 Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- TR-5 All oak trees identified to remain (see attached Exhibit B) shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g. pavement); disturbance of soil that impacts roots (e.g., tilling).
- TR-6 Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

### **Geology and Soils**

- GS-1 **Prior to recordation of the final map**, the applicant shall submit a drainage plan for the proposed access driveway with the subdivision improvement plans, for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- GS-2 **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental drainage plan for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.

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- GS-3 **Prior to recordation of the final map**, the applicant shall submit a sedimentation and erosion control plan for the proposed access driveway with the subdivision improvement plans for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- GS-3 **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental sedimentation and erosion control plan for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- GS-4 **Prior to recordation of the final map**, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans, which shows the amount of cut and fill and well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.
- GS-5 **Prior to issuance of grading or construction permits**, the applicant shall submit plans that incorporate all mitigation measures listed in the soils engineering report and slope stability analysis.

#### **Wastewater**

- WW-1 **Prior to recordation of the final map**, the applicant shall provide soil borings at leach line locations showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met as required by Title 19, Building and Construction Ordinance.

#### **Water**

- W-1 **Prior to issuance of a grading or building permit**, the applicant shall provide a written statement from the water purveyor that an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.
- W-2 **Prior to recordation of the final map**, the applicant shall include a note on the additional map sheet stating that each new lot will be limited to one primary residence, and that no secondary residences will be permitted.

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REVISED: July 25, 2005

**DEVELOPER'S STATEMENT FOR GODFREY TENTATIVE TRACT MAP  
ED 03-232 (S030062T – TR 2499)**

The applicant agrees to incorporate the following measures into the project. These measures become a part of the project description and therefore become a part of the record of action upon which the environmental determination is based. All development activity must occur in strict compliance with the following mitigation measures. These measures shall be perpetual and run with the land. These measures are binding on all successors in interest of the subject property.

**Note:** The items contained in the boxes labeled "Monitoring" describe the County procedures to be used to ensure compliance with the mitigation measures.

**Aesthetics**

VS-1 **At the time of application for construction permits**, the applicant shall clearly delineate the height of new development above the existing natural ground surface on the project plans. New development shall not exceed 25 feet above the existing ground surface.

VS-2 **At the time of application for construction permits**, the applicant shall submit architectural elevations of all proposed structures to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator. The elevations shall show exterior finish materials, colors, and height above the existing natural ground surface. Colors shall minimize the structure massing of new development by reducing the contrast between the proposed development and the surrounding environment. Colors shall be compatible with the natural colors of the surrounding environment, including vegetation, rock outcrops, etc. Darker, non-reflective, earth tone colors shall be selected for walls, chimneys, etc. and darker green, grey, slate blue, or brown colors for the roof structures.

**Monitoring Items VS-1 through VS-2:** Compliance will be verified by the Department of Planning and Building, in consultation with the Environmental Coordinator.

**Biological Resources**

BR-1 **Prior to recordation of final map**, the the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate number of manzanita plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision

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improvements. The plan shall also show the area and the number of manzanita to be replanted.

- BR-2 **During grading/construction for the proposed subdivision improvements and construction**, the applicant shall limit the manzanita (Wells' manzanita – [Arctostaphylos wellsi]) removal to those areas shown on the attached Exhibit D. The applicant shall replace, in kind at a 3:1 ratio, all manzanita removed as a result of the development of the project. All other construction and grading activities shall avoid impacts to the remaining manzanita on the subject property. Prior to additional manzanita removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of construction permits, replanting area(s) shall be clearly shown on construction plans.
- BR-3 **Prior to commencement of any vegetation removal or grading work**, all manzanita to remain within 25 feet of the project limits shall be staked and/or flagged for protection. These areas to be protected shall be shown on all applicable construction plans. The protection devices shall be installed prior to any vegetation removal and remain in place throughout the grading and construction phases.
- BR-4 The newly planted manzanita shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering (e.g. drip-irrigation system). Watering should be controlled so only enough is used to initially establish the manzanita, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- BR-5 Once the new manzanita has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- BR-6 **Prior to recordation of the final map**, the applicant shall submit a replanting plan, prepared by a qualified individual to the Department of Planning and Building for review and approval in consultation with the Environmental Coordinator's office. This plan shall show the approximate area of straight-awned spineflower plants to be removed as a result of grading and site disturbance for construction of the access driveway and subdivision improvements. The plan shall also show the area and the number of straight-awned spineflower to be replanted. Replanting shall be done on the same lot as removed wherever possible.
- BR-7 During grading/construction for the proposed project, the applicant shall limit the

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straight-awned spineflower [Chorizanthe rectispina] removal to those areas shown on the attached Exhibit D. All other construction and grading activities shall avoid impacts to the remaining straight-awned spineflower on the subject property. Prior to additional straight-awned spineflower removal, sufficient cuttings shall be taken by a qualified nurseryman (familiar with native plants) for nursery propagation and replanting a comparable area on the subject property. Replanting density shall be one cutting at 8' on center. Prior to issuance of construction permits, replanting area(s) shall be clearly shown on construction plans.

- BR-8 The newly planted straight-awned spineflower shall be maintained until successfully established. This shall include protection (e.g. caging) from animals (e.g. deer, rodents), regular weeding, (minimum of once early Fall and once early Spring) of at least a three foot radius out from the plant and adequate watering. Watering should be controlled so only enough is used to initially establish the straight-awned spineflower, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g. planting tablets, initial deep watering) shall be used.
- BR-9 Once the new straight-awned spineflower has been planted by a qualified individual familiar with native plants, and prior to final inspection of the grading permit, the applicant shall retain this individual (e.g. landscape contractor, arborist, nurseryman, botanist) to prepare a letter describing how and when the above planting and protection measures have been completed. This letter shall be submitted to the Environmental Coordinator for review and approval.
- BR-10 To minimize impacts to the sensitive habitat, the applicant agrees to the following during construction and for the life of the project:
- a. All native vegetation removal shall be shown on all applicable grading/construction or improvement plans, and reviewed/approved by the County (Planning and Building Dept.) before any work begins.
  - b. Vegetation removal of native habitat shall be limited to what is shown on the county-approved tentative tract map/additional map sheet.
  - c. Vegetation clearance for fire safety purposes shall be limited to the building envelopes established with the tentative tract map and minimum setbacks required by CDF. Where feasible, all efforts will be made to retain as much of this vegetation within the setback as possible (e.g. remove/trim only enough vegetation to create non-contiguous islands of native vegetation).
- BR-11 **Prior to recordation of the final map**, the applicant shall show the building envelopes as shown on Exhibit A and open space easements as shown on Exhibit E on an additional map sheet. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be constructed within the building envelopes. In addition, all other activities including vegetation clearance, horse pens, and other similar uses must be conducted within the building envelopes shown for Lots 4, 5, 6, and 7. No soil disturbance or activities except passive recreation are allowed outside of the building envelopes on Lots 4, 5, 6, and 7, nor within the

5-52

designated open space on Lots 1, 2, and 3.

- BR-12 **At the time of application for construction permits**, the applicant shall clearly delineate the building site(s) on the project plans, as shown on the attached Exhibit A. All new development, including primary and secondary residences, storage buildings, leach fields, water tanks, and other accessory uses shall be located within the building site(s).
- BR-13 There shall be no cutting, alteration or disturbance of the existing wetland area (as shown on the attached Exhibit C) during or after construction.
- BR-14 **Prior to issuance of grading or construction permits**, building envelopes shall be clearly delineated on all construction plans. Prior to any construction work beginning, including any vegetation clearing, where wetland area has been identified on Exhibit C, sturdy high-visibility fencing shall be installed to protect this area. This fencing shall be placed as far away as possible and no closer than 25' from the edge of existing wetland edge. No construction work (including storage of materials) shall occur outside of the building envelopes. Any required fencing shall remain in place during the entire construction period and checked as needed by the Environmental Monitor.
- BR-15 The applicant agrees to have the wetland area monitored and maintained continuously every 5 years by a qualified individual (approved by the county). Prior to final inspection, the applicant agrees to secure a bond with the county to cover the costs of monitoring and maintaining the site for a minimum 10-year period.
- BR-16 **Prior to issuance of grading or construction permits**, to minimize potential sedimentation within the wetland areas to be protected as shown on Exhibit C, a sedimentation and erosion control plan shall be prepared that minimizes project sediment from reaching the wetland. At a minimum, straw wattles (or comparably effective devices [as determined by the Environmental Monitor]) shall be placed on the downslope sides of the proposed work which would direct flows into temporary sedimentation basins. This shall be checked and maintained regularly and after all larger storm events. All remedial work shall be done immediately after discovery so sedimentation control devices remain in good working order.
- BR-17 **Prior to issuance of grading or construction permits**, the applicant shall pay an in-lieu fee as directed by County Public Works into a wetland restoration fund for impacts to the wetland along the road shoulder.

**Monitoring Items BR-1 through BR-17:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on native vegetation removal/protection issues.

5.53

### **Tree Removal/Protection**

- TR-1 **Prior to final inspection of construction permit**, the applicant shall replace, in kind at a 4:1 ratio, all oak trees removed as a result of the development of the project, and in addition, the applicant shall plant, in kind at a 2:1 ratio, all oak trees impacted as a result of the development of the project. No more than 29 oak trees shall be removed as a result of the development of the project and no more than 29 additional oak trees shall be impacted, but not removed (as shown on the attached Exhibit B). Replanting shall be completed as soon as it is feasible (e.g. irrigation water is available, grading done in replant area). Replant areas shall be either in native topsoil or areas where native topsoil has been reapplied. If the latter, top soil shall be carefully removed and stockpiled for spreading over graded areas to be replanted (set aside enough for 6-12" layer).
- TR-2 Location of newly planted trees should adhere to the following, whenever possible: on the north side of and at the canopy/dripline edge of existing mature native trees; on north-facing slopes; within drainage swales (except when riparian habitat present); where topsoil is present; and away from continuously wet areas (e.g. lawns, leach lines).
- TR-3 These newly planted trees shall be maintained until successfully established. This shall include protection (e.g. tree shelters, caging) from animals (e.g., deer, rodents), regular weeding (minimum of once early Fall and once early Spring) of at least a three foot radius out from plant and adequate watering (e.g., drip-irrigation system). Watering should be controlled so only enough is used to initially establish the tree, and reducing to zero over a three year period. If possible, planting during the warmest, driest months (June through September) shall be avoided. In addition, standard planting procedures (e.g., planting tablets, initial deep watering) shall be used.
- TR-4 Replacement oak trees shall be from either vertical tubes or deep, one-gallon container sizes.
- TR-5 All oak trees identified to remain (see attached Exhibit B) shall not be removed. Unless previously approved by the county, the following activities are not allowed within the root zone of existing or newly planted oak trees: year-round irrigation (no summer watering, unless "establishing" new tree or native compatible plant(s) for up to 3 years); grading (includes cutting and filling of material); compaction (e.g., regular use of vehicles); placement of impermeable surfaces (e.g. pavement); disturbance of soil that impacts roots (e.g., tilling).
- TR-6 Oak trees provide an essential component of wildlife habitat and visual benefits. The applicant recognizes this and agrees to minimize trimming of the remaining oaks. If trimming is necessary, the applicant agrees to either use a skilled arborist or apply accepted arborist's techniques when removing limbs. Unless a hazardous or unsafe situation exists, trimming shall be done only during the winter for deciduous species. Smaller trees (6 inches in diameter and smaller) within the project area are considered to be of high importance, and when possible, shall be given similar consideration as larger trees.

**Monitoring Items TR-1 through TR-6:** Department of Planning and Building, in consultation with the Environmental Coordinator, will be available to advise applicants on native vegetation removal/protection issues.

5.54

## **Geology and Soils**

- GS-1 **Prior to recordation of the final map**, the applicant shall submit a drainage plan for the proposed access driveway with the subdivision improvement plans, for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- GS-2 **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental drainage plan for review and approval by the Department of Planning & Building and Public Works Department. This plan shall, whenever feasible, direct drainage away from existing oak trees to avoid impacting the existing vegetation.
- GS-3 **Prior to recordation of the final map**, the applicant shall submit a sedimentation and erosion control plan for the proposed access driveway with the subdivision improvement plans for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- GS-3 **Prior to issuance of grading or construction permits**, the applicant shall submit a supplemental sedimentation and erosion control plan for review and approval by the Department of Planning & Building and Public Works Department. The plan shall include best management practices which can include, but are not limited to: avoiding grading during the wet-weather months, revegetation plans that allow slope stabilization prior to the wet season, and following existing contours to the greatest extent feasible.
- GS-4 **Prior to recordation of the final map**, the applicant shall submit a grading plan for the proposed access driveway with the subdivision improvement plans, which shows the amount of cut and fill and well as a practical plan and profile. This plan shall also show the existing trees with the number of trees to be removed and impacted.
- GS-5 **Prior to issuance of grading or construction permits**, the applicant shall submit plans that incorporate all mitigation measures listed in the soils engineering report and slope stability analysis.

**Monitoring Items GS-1 through GS-5:** Compliance will be verified by the Department of Planning and Building, in consultation with the County Department of Public Works and County Geologist.

ち-55

**Wastewater**

**WW-1 Prior to recordation of the final map**, the applicant shall provide soil borings at leach line locations showing that there is adequate separation, or if inadequate separation, plans for an engineered wastewater system that shows how the basin plan criteria can be met as required by Title 19, Building and Construction Ordinance.

**Water**

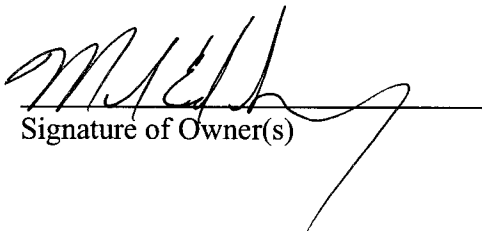
**W-1 Prior to issuance of a grading or building permit**, the applicant shall provide a written statement from the water purveyor that an on-site well is installed, tested and certified to meet minimum capacity requirements and Health Department approval.

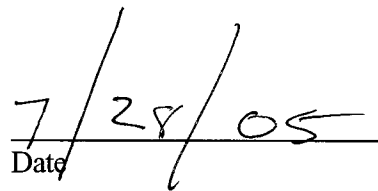
**Monitoring Items WW-1 and W-1:** Compliance will be verified by the Department of Planning and Building, in consultation with the County Department of Environmental Health.

**W-2 Prior to recordation of the final map**, the applicant shall include a note on the additional map sheet stating that each new lot will be limited to one primary residence, and that no secondary residences will be permitted.

**Monitoring:** Compliance will be verified by the Department of Planning and Building.

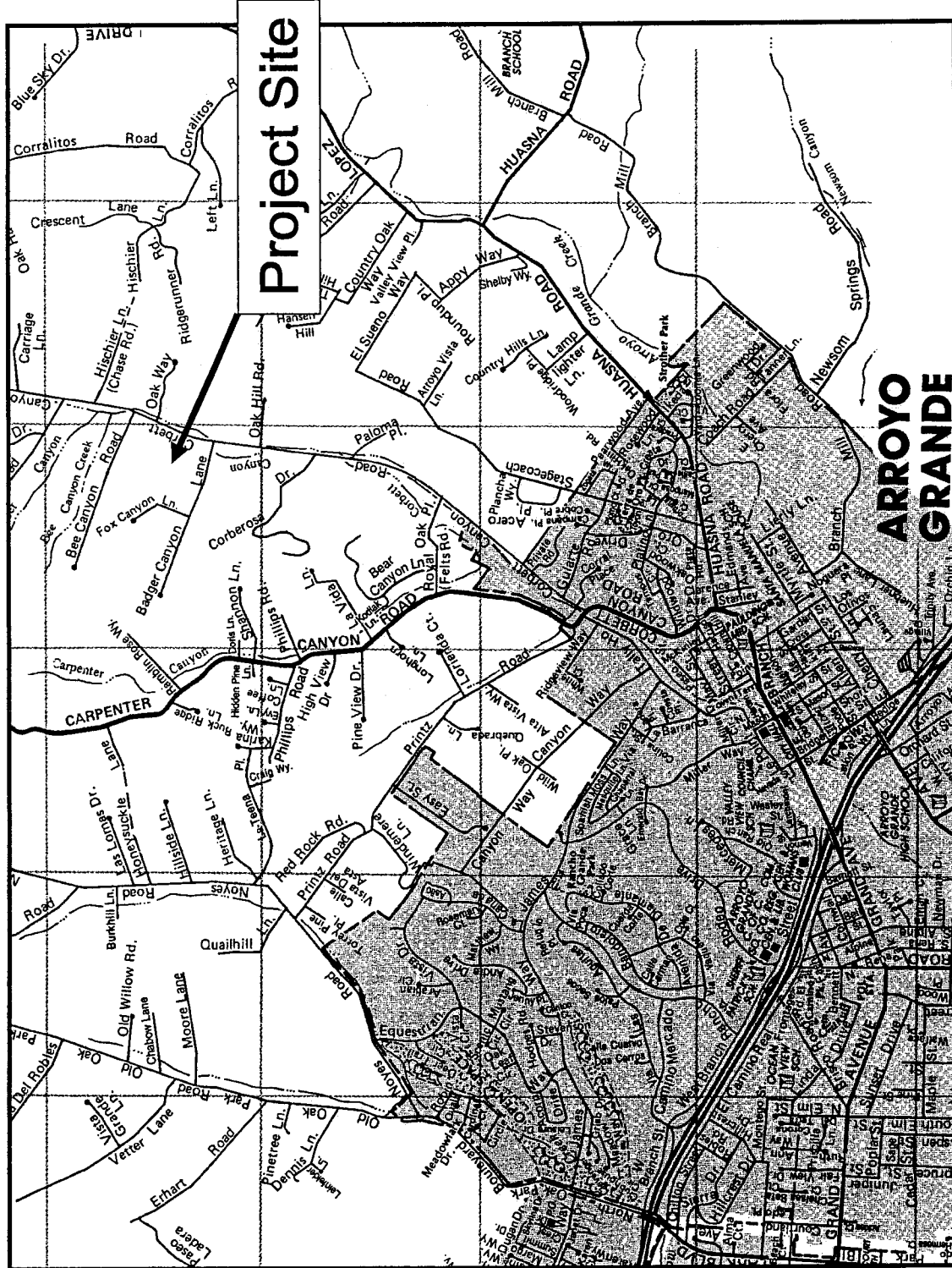
*The applicant understands that any changes made to the project subsequent to this environmental determination must be reviewed by the Environmental Coordinator and may require a new environmental determination for the project. By signing this agreement, the owner(s) agrees to and accepts the incorporation of the above measures into the proposed project description.*

  
Signature of Owner(s)

  
Date

MARK EDWARD GODFREY  
Name (Print)

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Project

Godfrey Tract Map TR-2574

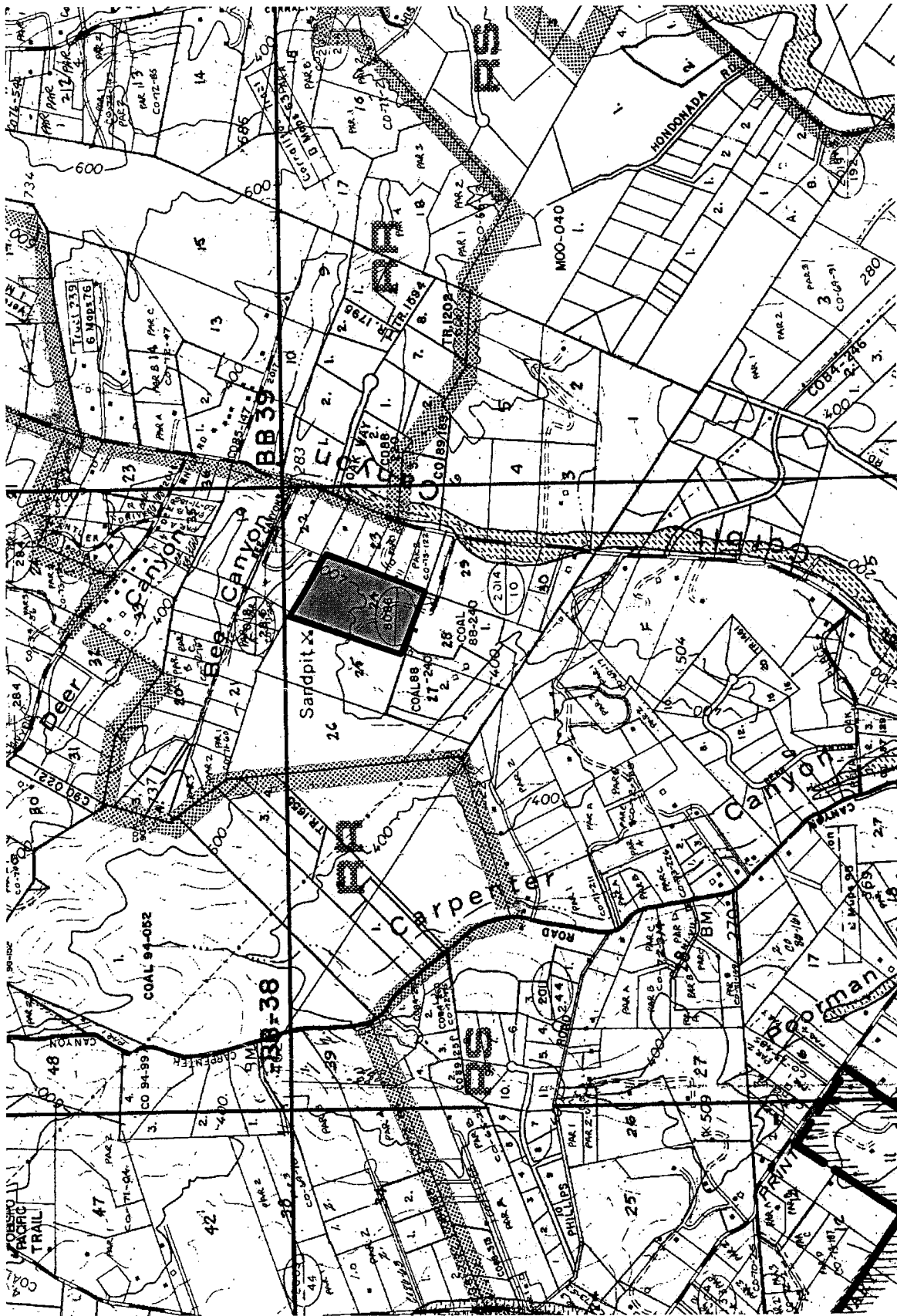


Exhibit

Vicinity Map

5-51

San Luis Obispo Department of Planning & Building



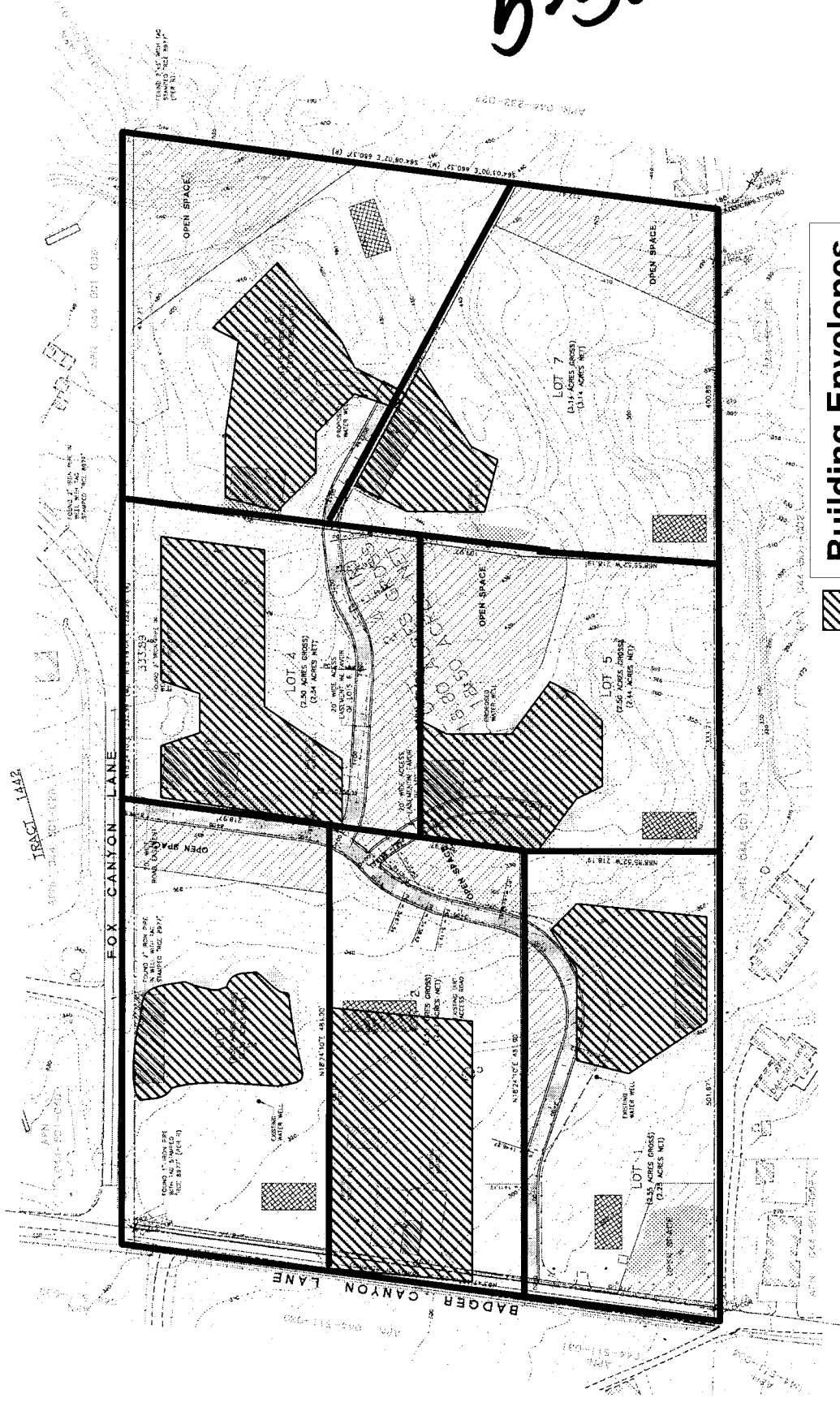
Project

Godfrey Tract Map TR-2574



Exhibit

Land Use Map



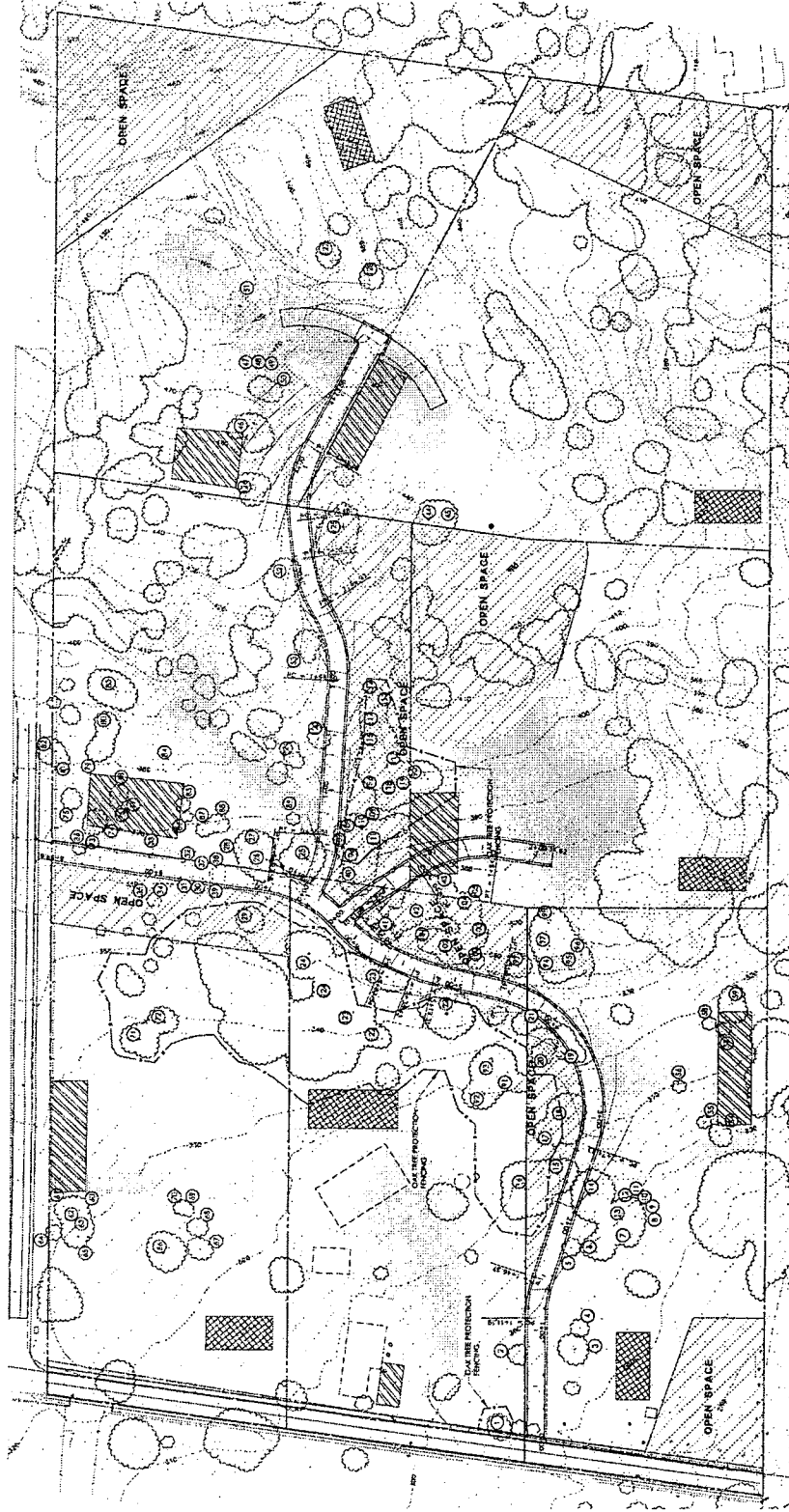
Building Envelopes

Project

Godfrey Tract Map TR-2574

Exhibit

Exhibit A – Building Envelopes



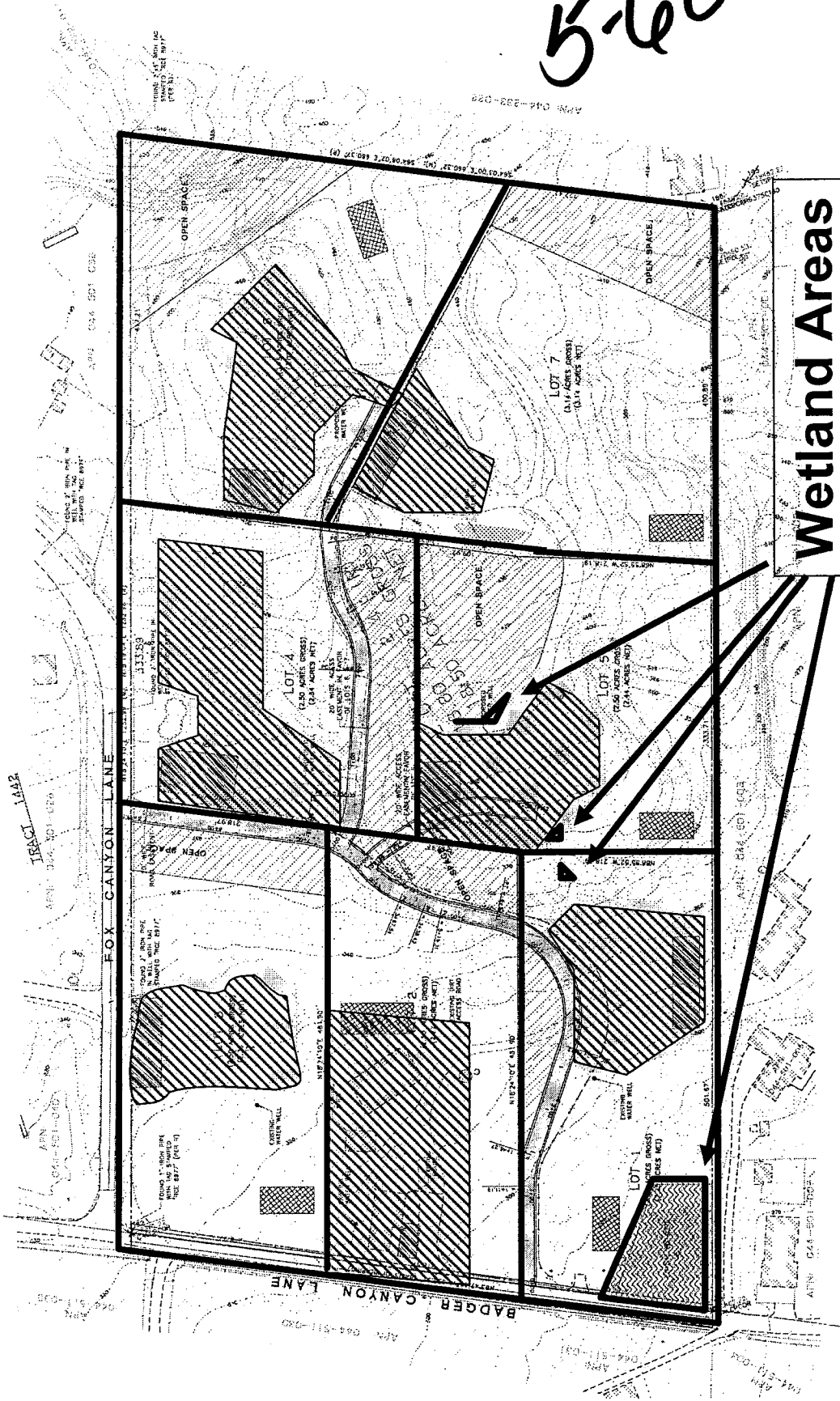
Project

Godfrey Tract Map TR-2574



Exhibit

Exhibit B – Tree Protection



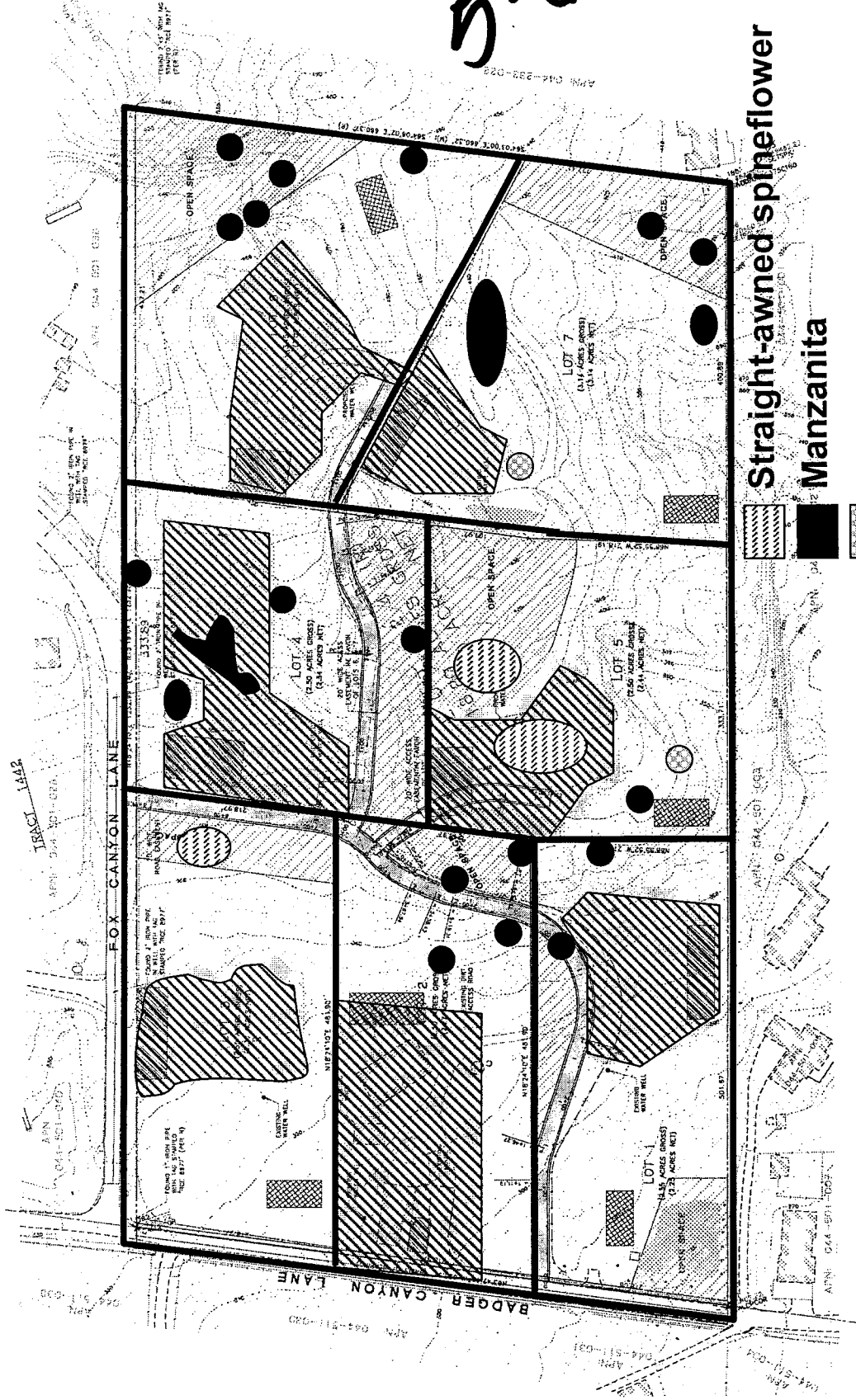
Project

Godfrey Tract Map TR-2574



Exhibit

Exhibit C – Wetland Areas



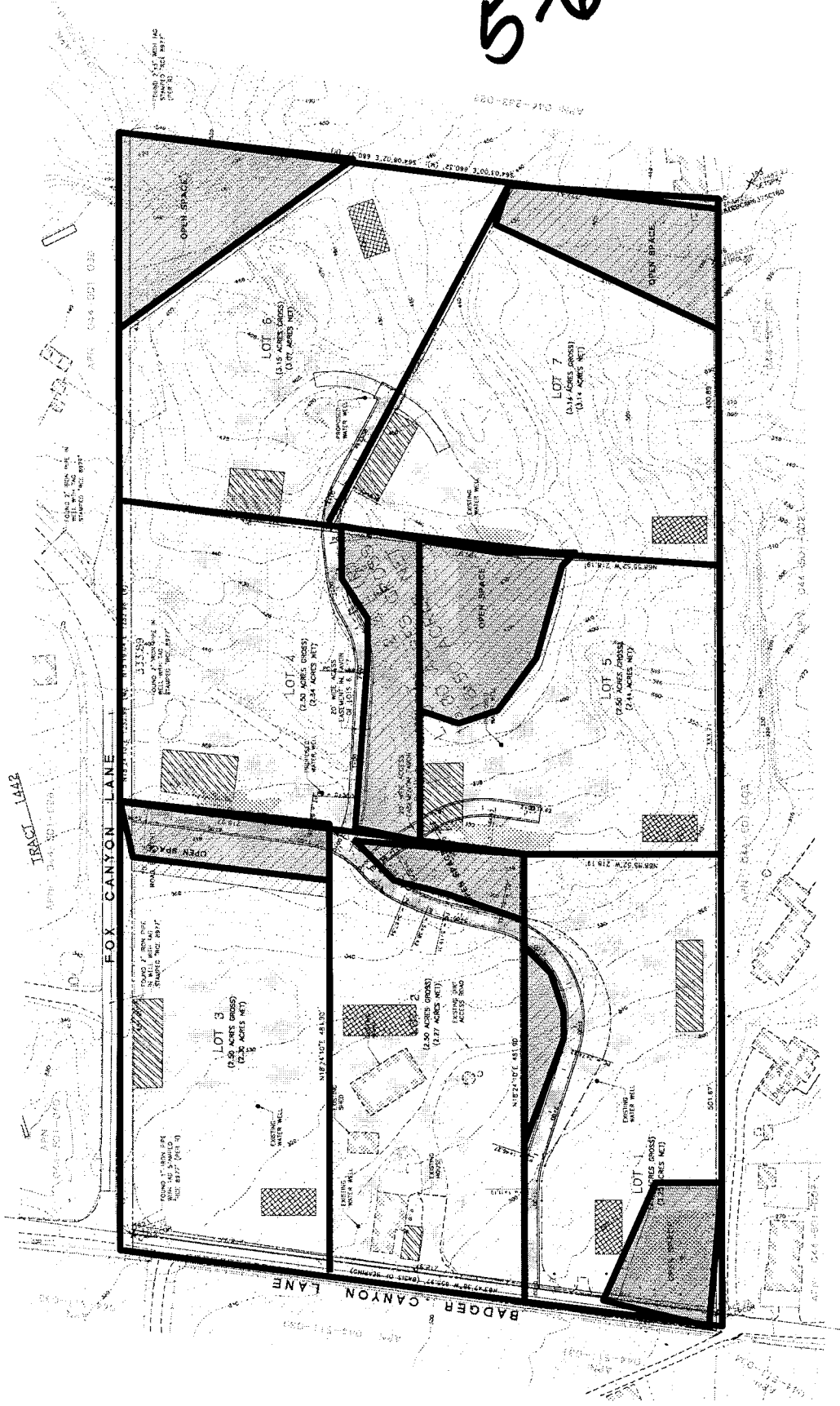
Project

Godfrey Tract Map TR-2574

Exhibit

Exhibit D – Sensitive Species Map



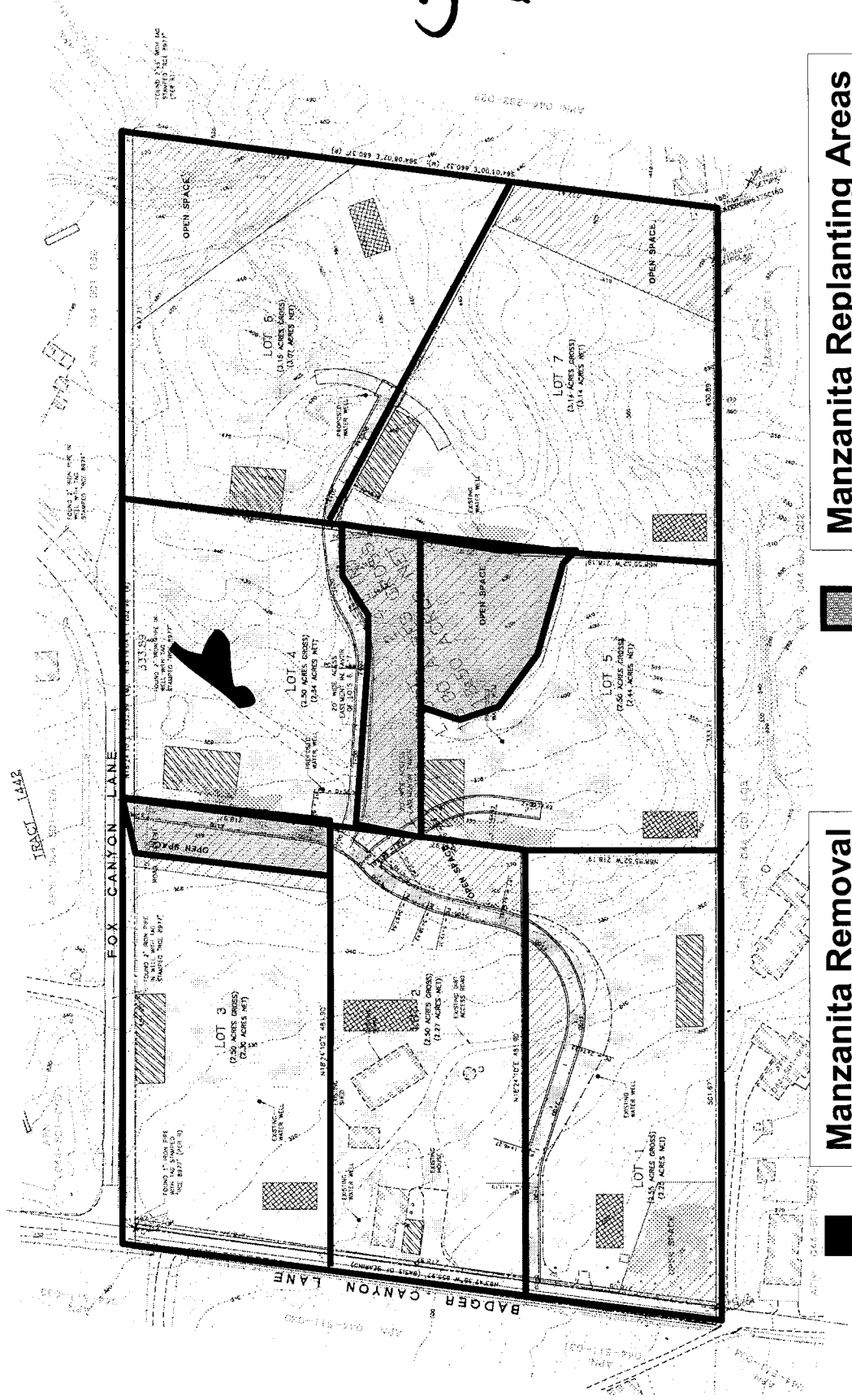


Project

Godfrey Tract Map TR-2574

Exhibit

Exhibit E – Open Space Easements

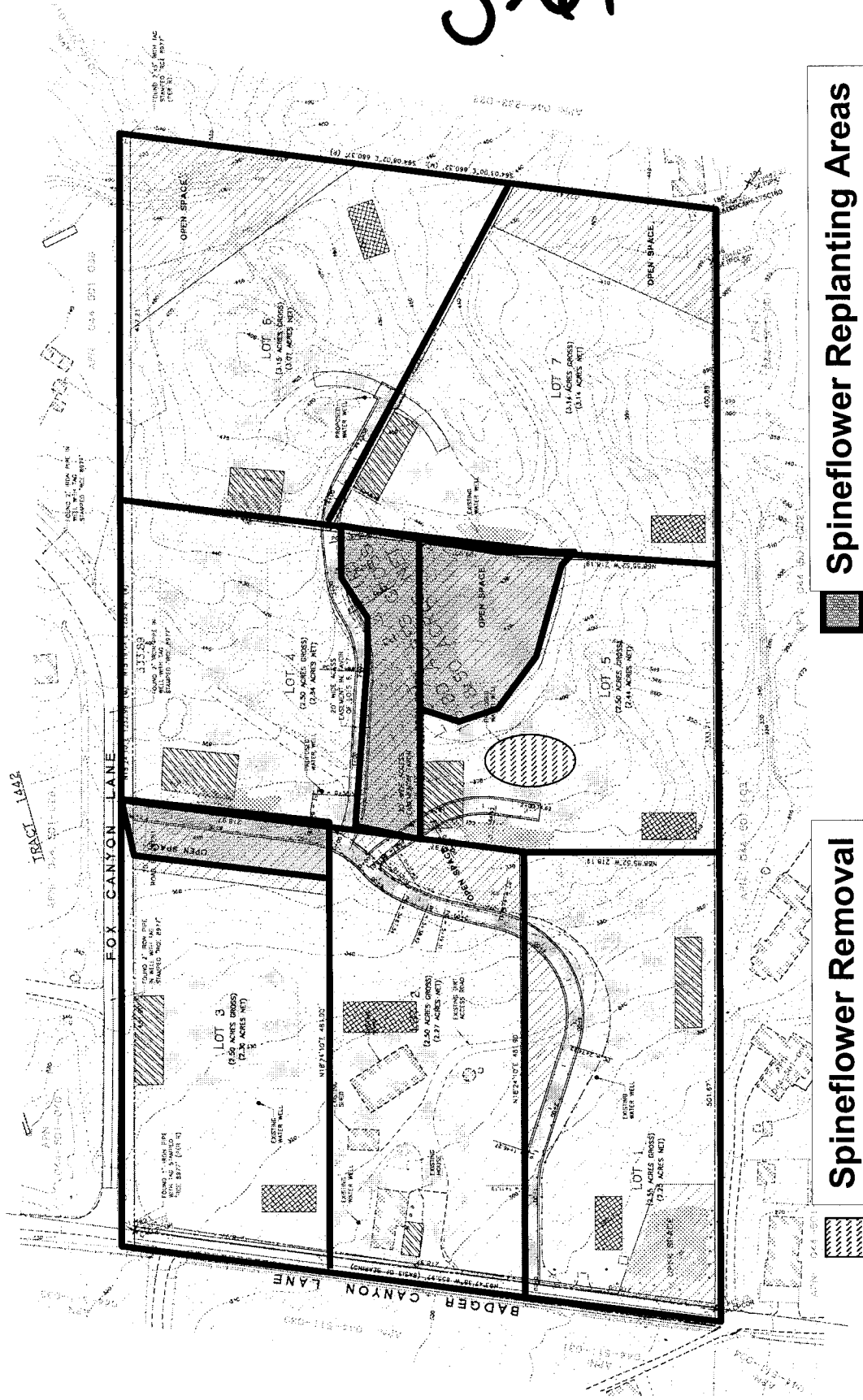


Project

Godfrey Tract Map TR-2574

Exhibit

Exhibit F – Manzanita Removal/Replantings



Project

Godfrey Tract Map TR-2574

Exhibit

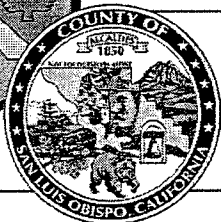
Exhibit G – Spineflower Removal/Replanting

5-65

# **Referral Comments**

Godfrey Tract Map

S030062T / TR 2574



## CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

January 7, 2005

Brian Pedrotti, Planner  
Planning & Building Dept.  
County of San Luis Obispo  
County Government Center  
San Luis Obispo, Ca. 93408

Subject: Tract 2574, Godfrey Trust

Dear Mr. Pedrotti,

You recently brought to my attention that the dead-end roads associated with this tract exceed the limits of Public Resource Code 4290 and thus our Fire Department Standard of 1320 feet for 2.5 acre parcels. In the letter from my staff dated September 9, 2003 we stated that sprinklers are required to mitigate the dead-end road lengths. In fact the sprinklers are required to mitigate the road and driveway grades which exceed 16%. It is not our practice to mitigate dead-end roads with sprinklers, but to require a secondary access road. Sprinklers do not mitigate the issue of dead-end roads during an emergency requiring evacuation, such as a wildland fire or hazardous materials incident.

We met with the applicant 2 years ago at a pre-app meeting. At the meeting we discussed how the access road serves over 20 existing homes on a road that does not meet CDF standards. We believed that by requiring this 7 parcel project to make improvements to the existing access road it would be an overall improvement to an existing substandard condition that otherwise would not be corrected.

In summary, it is not our practice to allow dead-end road lengths to be exceeded, but at the time and in this circumstance, we came to an agreement with the applicant we felt served a greater good to the community.

The following conditions should be required in addition to those outlined in the September 9, 2003 letter:

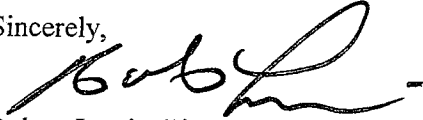
1. Badger Canyon and Fox Canyon Lanes should be improved to Fire Department Standards with a width no less than 20 feet.
2. All homes should be built with fire resistive construction.

5-67

3. All buildings should provide 100 feet of defensible space to prevent a wildfire from spreading to the structures.
4. All homes are required to have automatic fire sprinklers.

Unfortunately I will not be at the Planning Commission meeting on January 13, 2005 as I am at a training assignment out of State.

Sincerely,

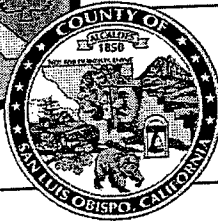


Robert Lewin, Fire Marshal  
Battalion Chief

Cc: Richard Marshal, Public Works  
Omni Design  
Gil Portillo, Inspector

Brian

568



## CDF/San Luis Obispo County Fire Department

635 N. Santa Rosa • San Luis Obispo • California 93405

September 9, 2003

County of San Luis Obispo  
Department of Planning and Building  
County Government Center  
San Luis Obispo, CA 93408

Subject: Tract Map Project # Tract 2574/Godfrey Trust

Dear South County Team,

SO 30062T

I have reviewed the referral for the tract map plans for the proposed seven parcel subdivision project located at 1523 Badger Canyon Ln., Arroyo Grande. This project is located approximately 10-12 minutes from the closest CDF/San Luis Obispo County Fire Station. The project is located in State Responsibility Area for wildland fires. It is designated a High Fire Severity Zone. This project is required to comply with all fire safety rules and regulations including the California Fire Code, the Public Resources Code and any standards referenced therein.

The following conditions will apply to this project:

### Access Road

An access road must be constructed to CDF/County Fire standards when it serves more than one parcel; access to any industrial or commercial occupancy, or vehicular access to a single parcel with more than two buildings or four or more dwelling units.

- The maximum length of a dead end road, including all dead-end roads accessed from that dead-end road, shall not exceed the following cumulative lengths, regardless of the number of parcels served:

○ Parcels less than 1 acres	800 feet
○ Parcels 1 acre to 4.99 acres	1320 feet
○ Parcels 5 acres to 19.99 acres	2640 feet
○ Parcels 20 acres or larger	5280 feet
- The road must be 18 feet in width and an all weather surface.
- If the road exceeds 12% it must have a non-skid paved surface.
- Roads may not exceed 16% without special mitigation and shall not exceed 20%.

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SEP 10 2003

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SLO CO PLANNING & BLDG.

SEP 10 2003

SLO CO PLANNING & BLDG.

5-69

- All roads must be able to support a 20 ton fire engine.
- Road must be named and addressed including existing buildings.
- A turnaround must be provided if the road exceeds 150 feet.
- Vertical clearance of 13'6" is required.

### Driveway

A driveway is permitted when it serves no more than two buildings, with no more than 3 dwelling units or a single parcel, and any number of accessory buildings.

- Driveway width for high and very high fire severity zones:
  - 0-49 feet, 10 feet is required
  - 50-199 feet, 12 feet is required
  - Greater than 200 feet, 16 feet is required
- Turnarounds must be provided if driveway exceeds 300 feet.

### RESIDENTIAL FIRE SPRINKLER SYSTEM

- As mitigation for dead-end roads, the County Fire Department requires that a fire sprinkler system be installed in each residence.
- The fire sprinkler system shall comply with National Fire Protection Association Pamphlet 13D.
- Three sets of plans shall be submitted to the County Building Departments.
- The installation of a fire sprinkler system could reduce the amount of emergency water storage to 2,500 gallons.

### Water Supply

The following applies:

- ☐ This project will require a community water system which meets the minimum requirements of the Appendix III-A & III-B of the California Fire Code.
- ☒ A water storage tank with a capacity determined by a factor of the cubic footage of the structure will be required to serve each existing and proposed structure. A residential fire connection must be located within 50 to 150 feet of the buildings.

### Fuel Modification

- Vegetation must be cleared 10 feet on each side of the driveways and access road.
- Maintain around all structures a 30 foot firebreak. This does not include fire resistive landscaping.
- Remove any part of a tree that is within 10 feet of a chimney.
- Maintain any tree adjacent to or overhanging any building free of deadwood.
- Maintain the roof of any structure free of leaves, needles or other flammable material.

If I can provide additional information or assistance, please call 543-4244.

Sincerely,

*Gilbert R. Portillo*

Gilbert R. Portillo

Fire Inspector

cc: Mr. Mark Godfrey, owner  
Omni Design Group, Inc., agent

Brian



5-70  
AIR POLLUTION  
CONTROL DISTRICT  
COUNTY OF SAN LUIS OBISPO

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SEP 9 2003

Planning & Bldg

DATE: September 4, 2003

TO: South County Team  
San Luis Obispo County Department of Planning and Building

FROM: Melissa Guise *MG*  
San Luis Obispo County Air Pollution Control District

SUBJECT: Godfrey Trust Parcel Split (S030062T/TR2574)

Thank you for including the APCD in the environmental review process. We have completed our review of the proposed project located at 1523 Badger Canyon Lane in Arroyo Grande. We have the following comments on the proposal.

This project, like many others, falls below our emissions significance thresholds and is therefore unlikely to trigger a finding of significant air quality impacts requiring mitigation. However, we are concerned with the cumulative effects resulting from the ongoing fracturing of rural land and increasing residential development in areas far removed from commercial services and employment centers. Such development fosters continued dependency of private auto use as the only viable means of access to essential services and other destinations. This is inconsistent with the land use planning strategies recommended in the Clean Air Plan, which promote the concept of compact development by directing growth to areas within existing urban and village reserve lines. The CAP recommends that areas outside the urban/village reserve lines be retained as open space, agriculture and very low-density residential development.

The District understands that under the County's Land Use Ordinance parcels within the Residential Suburban category can be subdivided to a minimum lot size of one acre. We also recognize that there are significant human-interest issues that are difficult to overcome, such as the desire of some applicants to settle estate matters through property splits. However, we believe it is important to emphasize to decision makers that subdivision and future development on these, and similar rural parcels throughout the county allows a pattern of development to continue that is ultimately unsustainable in the long run. Such development cumulatively contributes to existing stresses on air quality, circulation and other natural and physical resources and infrastructure that cannot be easily mitigated. We do not support this type of development.

One possible solution to this dilemma is a workable Transfer Development Credit (TDC) Program, which would encourage more compact development in urban areas. We do believe, however, it is important to carefully select receiver and sender sites so the ultimate goal of increasing densities in urban areas is achieved. As currently structured, the TDC Program does not assure that receiver sites are located within or bordering the URL; therefore, promoting further growth in areas outside the URL. The District recommends changes to the TDC Program to assure long-term sustainable development.

Again, thank you for the opportunity to comment on this proposal. If you have any questions or comments, or if you would like to receive an electronic version of this letter, feel free to contact me at 781-5912.

MAG/sll

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# SAN LUIS OBISPO COUNTY DEPARTMENT OF PLANNING AND BUILDING

5-71

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE: August 25, 2003  
TO: City of Arroyo Grande  
FROM: South County Team  
(Please direct response to the above)

303006ZT / TR 2574  
Project Name and Number

Development Review Section (Phone: 781-788-2409)

PROJECT DESCRIPTION: Subdivide into 7 parcels

Return this letter with your comments attached no later than: Sept. 8, 2003

**PART I** IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?  
☒ YES (Please go on to Part II)  
☐ NO (Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

**PART II** ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?  
☒ NO (Please go on to Part III)  
☐ YES (Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

**PART III** INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Site is steep slopes (particularly proposed lots 4, 5, 6 & 7). It is also a long way from nearest CDF/County fire station and <sup>should be</sup> zoned Rural Residential not Residential Suburban. The appropriate lot size in this situation is a minimum of 1 sq/sac. NOT 1/2.5 ac. Oaks and brush + Slopes = Fire danger. City will recommend denial due to excessive density & fire response problem.  
9/11/03 Date  
R. J. [Signature] Name  
Community Development Director  
City of Arroyo Grande  
Phone: 4735420



SAN LUIS OBISPO COUNTY  
DEPARTMENT OF PLANNING AND BUILDING

pg 695:B7

572

VICTOR HOLANDA, AICP  
DIRECTOR

Arroyo Grande

THIS IS A NEW PROJECT REFERRAL

RECEIVED

AUG 28 2003

Planning & Bldg

DATE:

From:  
TO:

To:  
FROM:

~~August 25, 2003~~ 8/27/03

Parks & Rec.

South County Team

(Please direct response to the above)

5030062T / TR 2574  
Project Name and Number

Development Review Section (Phone: 781-788-2009) ( )

PROJECT DESCRIPTION:

Subdivide into 7 parcels

Return this letter with your comments attached no later than:

Sept. 8, 2003

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

Applicant shall pay Quimby and applicable  
Building Division fees.

8/27/03

Date

Jan Di Leo

Name

4089

Phone

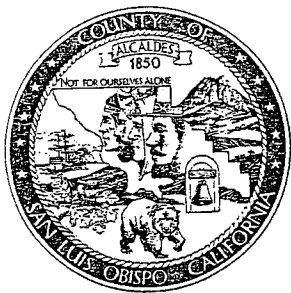
# Statement of Concerns

5-73

- 1) No mention of existing retention basin in NE corner of proposed Lot 6. This basin acts as water supply for wildlife during a large portion of the year. This basin has been maintained with minimal effort by the Harveys for approximately 15 years. Excessive amounts of silt and sand build up only occurred after grading of upper slope of proposed lot 6 (see photos in package). Mr. Godfrey stated that best course of action would be to bulldoze and flatten cliff line above basin. Terisue Harvey challenged this statement and asked no more destruction take place without conferring with SLO County due to Mr. Godfrey not respecting any conservation efforts, environmental impact, wildlife habitat, vegetation destruction, removal of above ground water source and underground water storage replacement that the retention basin provides. Mr. Godfrey's response was if she were to officially to object, he would approach developing Lot 6 stating this parcel's bluff would become a safety issue to ensure bulldozing of the bluff. He then stated that without doing this extensive measure a seventh lot would not fit do to maximum amount of land needed for this development. The conversation included that he was having other issues with the boundaries on proposed Lot 5 (cliff with in 5' of property line), proposed Lot 7 (property line to encroach on home off of Bee Canyon). This conversation was held approximately the beginning of 2002. In regards to the safety issue for all cliffs, Terisue grew not far from this area riding her horse through this canyon frequently and then living at this address for almost 20 years. There has not been any accidents associated with any of the cliff lines including large cliff face on proposed Lot 5 in that time. We feel as others that there is no reason for the destruction on proposed Lot 6 to occur for any other reason to provide additional revenue for the developer. We have maintained, respected and protected this area which we share with this parcel in agreement with previous owners for almost 20 years. We strongly propose and with our hearts ask consideration that at least the upper half of proposed Lot 6 be deemed protected and conserved for the above reasons.
- 2) Add to list of protected trees all oak trees on Northern boundaries of proposed lots 4 & 6 (see photo 6G). This is for soil stabilization and visual effect of property and component of wildlife habitat
- 3) Remove or limit building site of proposed lot 6 due to extensive grading requirements

5-74

- 4) Native American artifacts were found on Lot 6 area in the late 1980's
- 5) Badger Canyon road. Road improved from Corbett Canyon to Fox Canyon to include widening and drainage.
- 6) Fox Canyon road. Road improved from Badger Canyon road to end of tract for traffic and drainage.
- 7) Last development by Godfrey in this canyon (Cougar Creek) final map included a lot less than 2.5 acre minimum. We would like to ensure this does not occur again.
- 8) Limit to one residence per lot (no Granny units). Due to unusual surface configuration from mining, extensive grading and paving for multiple home sites will effect aquifer replenishment.
- 9) This property had been owned by oil company. Were any oil wells drilled and if so were drilling byproducts removed properly.
- 10) Mr. Godfrey stated an extensive number of vehicles were buried on property. Has a Hazmat evaluation been performed to ensure no soil contamination has occurred from vehicle fluids and byproducts.
- 11) Wetland on proposed lot 1 has not been addressed for wildlife habitat. Property owner directly below wetland has not been contacted to address drainage which has historically been a problem.
- 12) Limit building site on proposed lot 4 Southern end due to excessive grade of slope and extensive tree removal that would be required.
- 13) Proposed Lot 5 drainage basin placed near large cliff area.
- 14) Proposed Lot 7 drainage basin run off would effect existing wooded ravine which provides essential component of wildlife habitat and visual benefits



County of San Luis Obispo • Public Health Department

Environmental Health Services

2156 Sierra Way • P.O. Box 1489  
San Luis Obispo, California 93406  
(805) 781-5544 • FAX (805) 781-4211

Gregory Thomas, M.D., M.P.H.  
County Health Officer  
Public Health Director

Curtis A. Batson, R.E.H.S.  
Director

October 16, 2003

Omni Design Group, Inc.  
100 Cross Street, Suite 101  
San Luis Obispo, CA 93401

ATTN: DAVE MARCHELL  
RE: TENTATIVE TRACT MAP 2574 (GODFREY)

Water Supply

This office is in receipt of onsite water information for the above noted project. Said information is considered satisfactory **preliminary** evidence of water. Prior to filing of the final map evidence of adequate potable water for each parcel shall be submitted to the Health Department. Complete chemical analysis, a pump test and well drillers log shall be submitted for review and approval prior to final map recordation.

Wastewater Disposal

Individual wastewater disposal systems, designed and constructed to meet County and State requirements, should adequately serve the parcels. Comprehensive soil testing, in the proposed area for septic system installation, will be required for each vacant parcel prior to map recordation. Be advised that the areas identified on the vesting tentative tract map for proposed septic system installation must be a minimum of 100' from water wells and 100' from proposed retention basin areas. Please provide a full size exhibit that shows the setback to both water wells and retention basin areas can be met.

Tract 2574 is approved for Health Agency subdivision map processing.

*Laurie A. Salo*

LAURIE A. SALO, R.E.H.S.  
Senior Environmental Health Specialist  
Land Use Section

c: Kami Griffin, County Planning  
Brian Pedrotti, County Planning  
Rosemary Sholders, Omni Design



RECEIVED  
AUG 26 2003  
COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PUBLIC WORKS  
DEPARTMENT OF PLANNING AND BUILDING

VICTOR HOLANDA, AICP  
DIRECTOR

THIS IS A NEW PROJECT REFERRAL

DATE:

August 25, 2003

FROM

Pub Works

FROM  
LO

South County Team

(Please direct response to the above)

5-76  
SD30062T / TR 2574  
Project Name and Number

Development Review Section (Phone: 781- 788-2009 ) ( )

PROJECT DESCRIPTION:

Subdivide into 7 parcels

Return this letter with your comments attached no later than:

Sept. 8, 2003

PART I

IS THE ATTACHED INFORMATION ADEQUATE FOR YOU TO DO YOUR REVIEW?

☒ YES  
☐ NO

(Please go on to Part II)

(Call me ASAP to discuss what else you need. We have only 30 days in which we must accept the project as complete or request additional information.)

PART II

ARE THERE SIGNIFICANT CONCERNS, PROBLEMS OR IMPACTS IN YOUR AREA OF REVIEW?

☒ NO  
☐ YES

(Please go on to Part III)

(Please describe impacts, along with recommended mitigation measures to reduce the impacts to less-than-significant levels, and attach to this letter.)

PART III

INDICATE YOUR RECOMMENDATION FOR FINAL ACTION. Please attach any conditions of approval you recommend to be incorporated into the project's approval, or state reasons for recommending denial. IF YOU HAVE "NO COMMENT," PLEASE INDICATE OR CALL.

RECOMMEND APPROVAL - STOKES ATTACHED.

LOTS 6 & 7 EXCEED MAX DEED END ROAD LENGTH.

I HAVE ASKED FOR 10 FEET ADDITIONAL R/W - A CONCRETE DITCH RUNS DOWN THE SOUTH SIDE OF THE ROAD R/W, AN ADDITIONAL 10 FT WILL GIVE US 20 TO 35 FEET FOR ROAD STRUCTURE (PERMANENT & NORTH SIDE DRAINAGE).

Date 30 SEP 2003

Name Goodwin

Phone 5252

5-17

**Public Comment Letters**  
Godfrey Tract Map  
S030062T / TR 2574

5-78

Item # 1: Godfrey  
6030062T  
1-13-05



TejonMinis@aol.com

01/10/2005 08:01 PM

To: bpedrotti@co.slo.ca.us

cc:

Subject: Hearing request for the Mark Godfrey Tentative Map

Hi Brian:

Thanks for taking our call today. Per our conversation we are sending you our concerns for this development to be heard at the public hearing on Thursday, 1.13.05 at 8:45 am.

For the record we live off of Fox Canyon Road on Cougar Creek Way.

First, we are concerned with the condition of Badger Canyon Road which is the major travelway for all the houses in this canyon area. The width of Badger Canyon at Corbett Canyon is 20'. This is the maximum width for this road. From this point up the canyon the road narrows to widths between 17' and 18'. Running directly adjacent to Badger Canyon is a 4' deep by 5' wide PCC lined drainage ditch with no protective rail. With the proposed increase in traffic the likelihood of an accident occurring, with someone ending up in the ditch, is very real. Currently there are approximately 20 homes using this substandard road as their only means to Corbett Canyon Road. There have been numerous close calls on Badger Canyon with one vehicle usually having to pull over into a driveway and come to a complete stop to let an oncoming vehicle pass. It is a very unsafe road. We believe the existing condition of Badger Canyon could jeopardize emergency response vehicles from getting to a life or death incident in a timely manner with oncoming traffic having no where to move over (accept in the ditch). The adjacent open drainage ditch poses a serious hazard as well.

Second, our concern is the existing "stagnant" natural spring that is on the proposed Lot 1. Something needs to be done to keep it healthy and clean. With the West Nile virus alive and well in California and this canyon area being home to numerous equines as well as us humans, the mosquito population in the standing water is a real concern.

This last item really has nothing to do with the current issue but we feel it is important for you to know what other problems exist in this canyon area that are similar. The drainage ditch that the county had Mr. Godfrey put in during his development of the Fox Canyon properties in the 1980's is now in a horrible state of disrepair. As we have witnessed this last couple of weeks, the rain water no longer drains down this ditch as was originally planned. It now drains down Fox Canyon undermining the shoulders of the road, etc. If we lose either Fox Canyon or Badger Canyon roads there is no exit from this Canyon area.

Again, thanks for the call and for your time.

Alex and Louise Woolworth

5-79

## **Package Contents**

**Concerning Godfrey Badger Canyon development**

**Supplied by Harvey family**

**1060 Fox Canyon, AG** phone: 4810813

- **Statement of concerns of the Harveys**
- **Current tentative subdivision map**
- **Aerial photos of tract prior to and after purchase by M Godfrey**
- **Clearing and bulldozing photos**
- **Entrance to Barrow pit from Harvey residence.**
- **Lot 6 concerns and pictures**
- **Lot 5 concerns and pictures**
- **Lot 7 concerns and pictures**
- **Badger Canyon drainage.**
- **Maps from previous Godfrey development**
- **Tentative and final maps from previous Godfrey development showing parcel approved less than 2.5 acre minimum.**

# 5-80

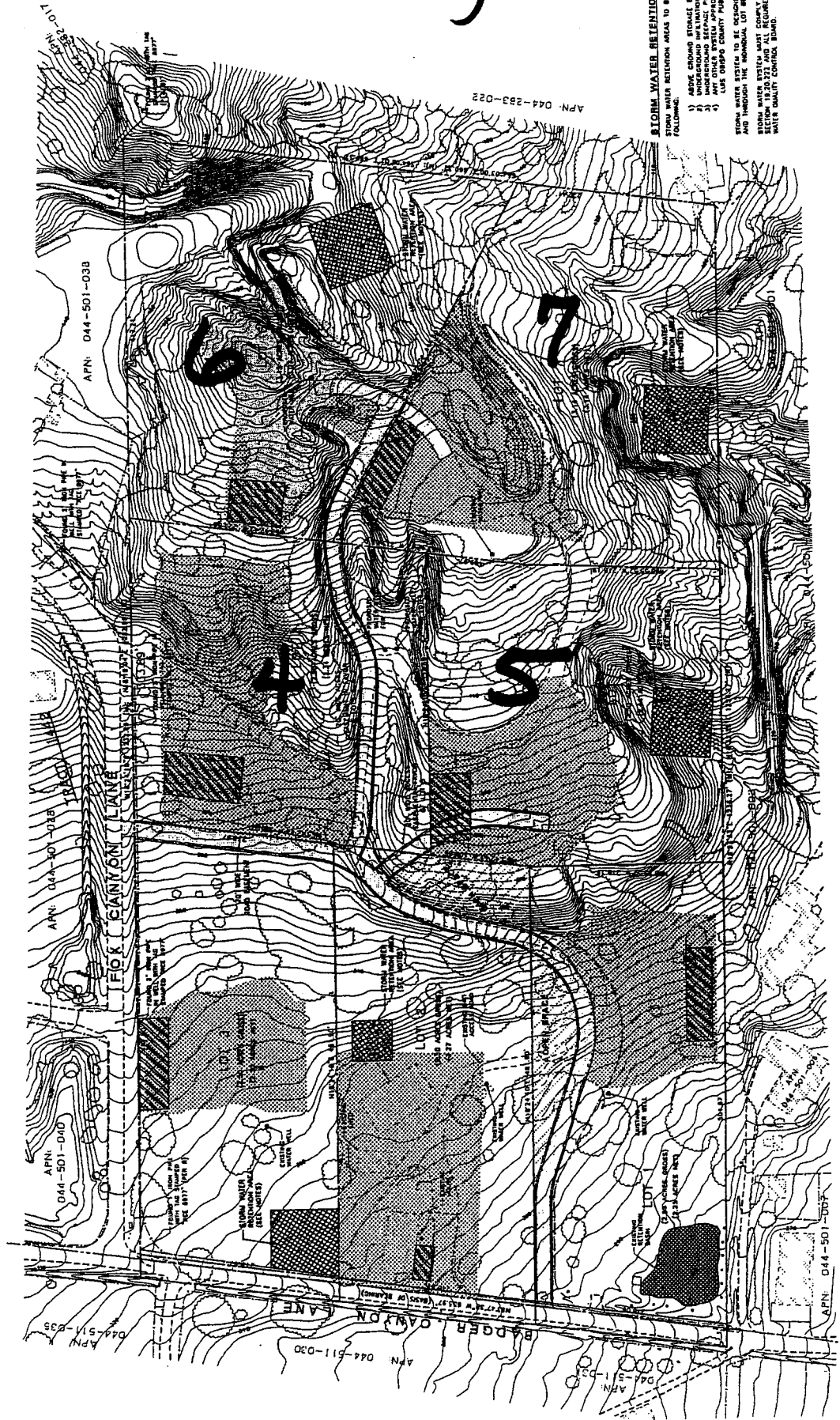
## Statement of Concerns

- 1) No mention of existing retention basin in NE corner of proposed Lot 6. This basin acts as water supply for wildlife during a large portion of the year. This basin has been maintained with minimal effort by the Harveys for approximately 15 years. Excessive amounts of silt and sand build up only occurred after grading of upper slope of proposed lot 6 (see photos in package). Mr. Godfrey stated that best course of action would be to bulldoze and flatten cliff line above basin. Terisue Harvey challenged this statement and asked no more destruction take place without conferring with SLO County due to Mr. Godfrey not respecting any conservation efforts, environmental impact, wildlife habitat, vegetation destruction, removal of above ground water source and underground water storage replacement that the retention basin provides. Mr. Godfrey's response was if she were to officially to object, he would approach developing Lot 6 stating this parcel's bluff would become a safety issue to ensure bulldozing of the bluff. He then stated that without doing this extensive measure a seventh lot would not fit do to maximum amount of land needed for this development. The conversation included that he was having other issues with the boundaries on proposed Lot 5 (cliff with in 5' of property line), proposed Lot 7 (property line to encroach on home off of Bee Canyon). This conversation was held approximately the beginning of 2002. In regards to the safety issue for all cliffs, Terisue grew not far from this area riding her horse through this canyon frequently and then living at this address for almost 20 years. There has not been any accidents associated with any of the cliff lines including large cliff face on proposed Lot 5 in that time. We feel as others that there is no reason for the destruction on proposed Lot 6 to occur for any other reason to provide additional revenue for the developer. We have maintained, respected and protected this area which we share with this parcel in agreement with previous owners for almost 20 years. We strongly propose and with our hearts ask consideration that at least the upper half of proposed Lot 6 be deemed protected and conserved for the above reasons.
- 2) Add to list of protected trees all oak trees on Northern boundaries of proposed lots 4 & 6 (see photo 6G). This is for soil stabilization and visual effect of property and component of wildlife habitat
- 3) Remove or limit building site of proposed lot 6 due to extensive grading requirements

5-81

- 4) Native American artifacts were found on Lot 6 area in the late 1980's
- 5) Badger Canyon road. Road improved from Corbett Canyon to Fox Canyon to include widening and drainage.
- 6) Fox Canyon road. Road improved from Badger Canyon road to end of tract for traffic and drainage.
- 7) Last development by Godfrey in this canyon (Cougar Creek) final map included a lot less than 2.5 acre minimum. We would like to ensure this does not occur again.
- 8) Limit to one residence per lot (no Granny units). Due to unusual surface configuration from mining, extensive grading and paving for multiple home sites will effect aquifer replenishment.
- 9) This property had been owned by oil company. Were any oil wells drilled and if so were drilling byproducts removed properly.
- 10) Mr. Godfrey stated an extensive number of vehicles were buried on property. Has a Hazmat evaluation been performed to ensure no soil contamination has occurred from vehicle fluids and byproducts.
- 11) Wetland on proposed lot 1 has not been addressed for wildlife habitat. Property owner directly below wetland has not been contacted to address drainage which has historically been a problem.
- 12) Limit building site on proposed lot 4 Southern end due to excessive grade of slope and extensive tree removal that would be required.
- 13) Proposed Lot 5 drainage basin placed near large cliff area.
- 14) Proposed Lot 7 drainage basin run off would effect existing wooded ravine which provides essential component of wildlife habitat and visual benefits

5-82

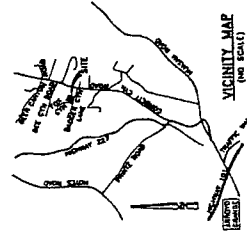


STORM WATER RETENTION NOTES:  
STORM WATER RETENTION AREAS TO BE ONE OF THE FOLLOWING:

- 1) ABOVE GROUND STORAGE BASIN
- 2) UNDERGROUND TREATMENT SYSTEM
- 3) ANY OTHER SYSTEM APPROVED BY THE SAN JOSE COUNTY PUBLIC WORKS DEPARTMENT
- 4) LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENT

STORM WATER SYSTEM TO BE DESIGNED AND PERMITTED AND THROUGH THE JOINT SAN JOSE AND LOS ANGELES COUNTY PUBLIC WORKS DEPARTMENTS AND ALL REQUIREMENTS OF REGIONAL WATER QUALITY CONTROL BOARD.

- LEGEND:
- EXISTING SITES
  - PROPOSED RETENTION BASIN AREA
  - PROPOSED SPECIFIC SPACE
  - PROPOSED SPECIFIC AREA



WATER WELL, LEACH FIELD, BUILDING ENVELOPE & INFILTRATION EXHIBIT  
DATE: 05/11/02  
SCALE: 1" = 50'  
SHEET: 1 OF 1  
DRAWN BY: DLS

SMITH DESIGN GROUP, INC.  
10000 N. 10TH AVE., SUITE 100  
DENVER, CO 80231  
PHONE: (303) 444-1788, FAX: (303) 444-0379  
WWW.SMITHDESIGNGROUP.COM

1-14

# Aerial

View of tract in early 1990's before sale to Godfrey.

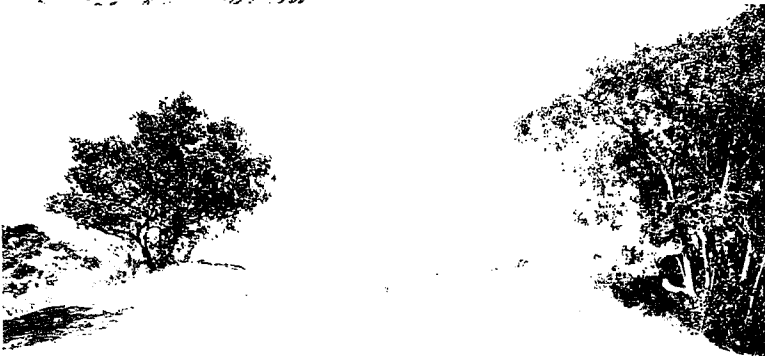


View of tract in early 2000 after sale to Godfrey.



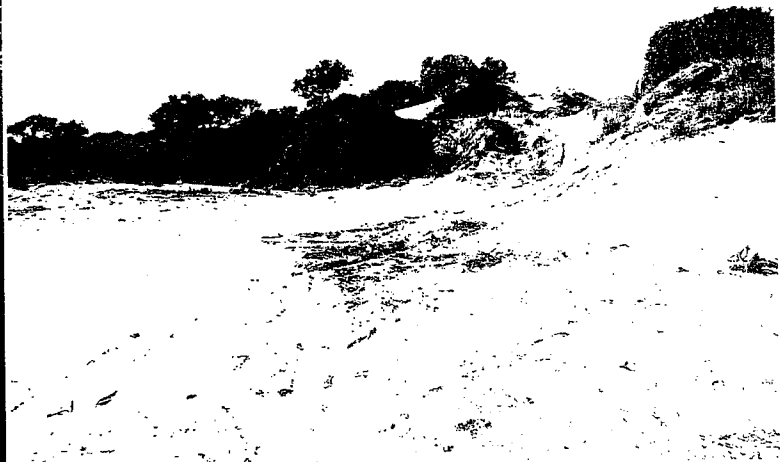
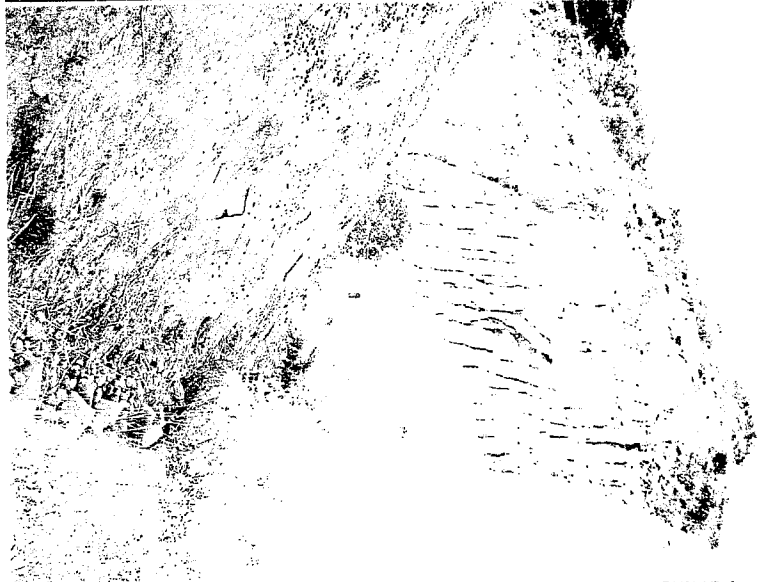
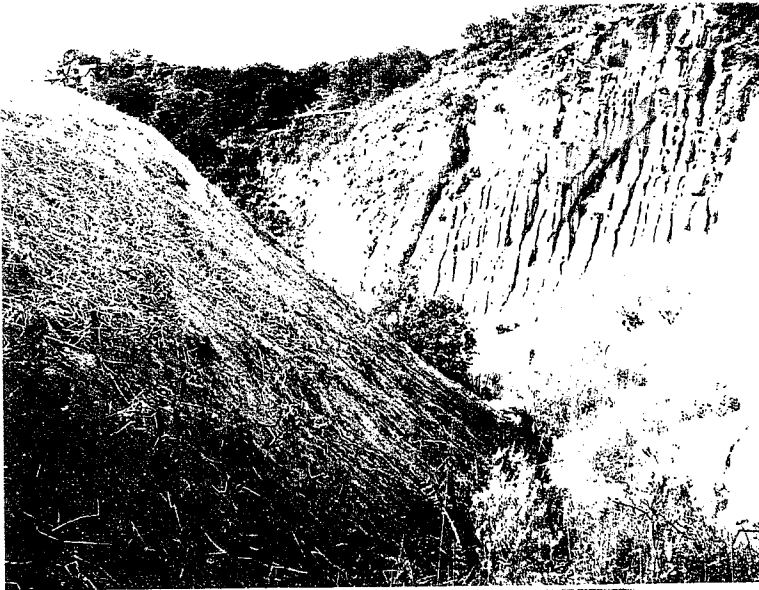
# Bulldozing and Clearing Lot 6 #1, 2000-2002)

5.84



# Bulldozing and Clearing Lot 6 # 2(2000-2002)

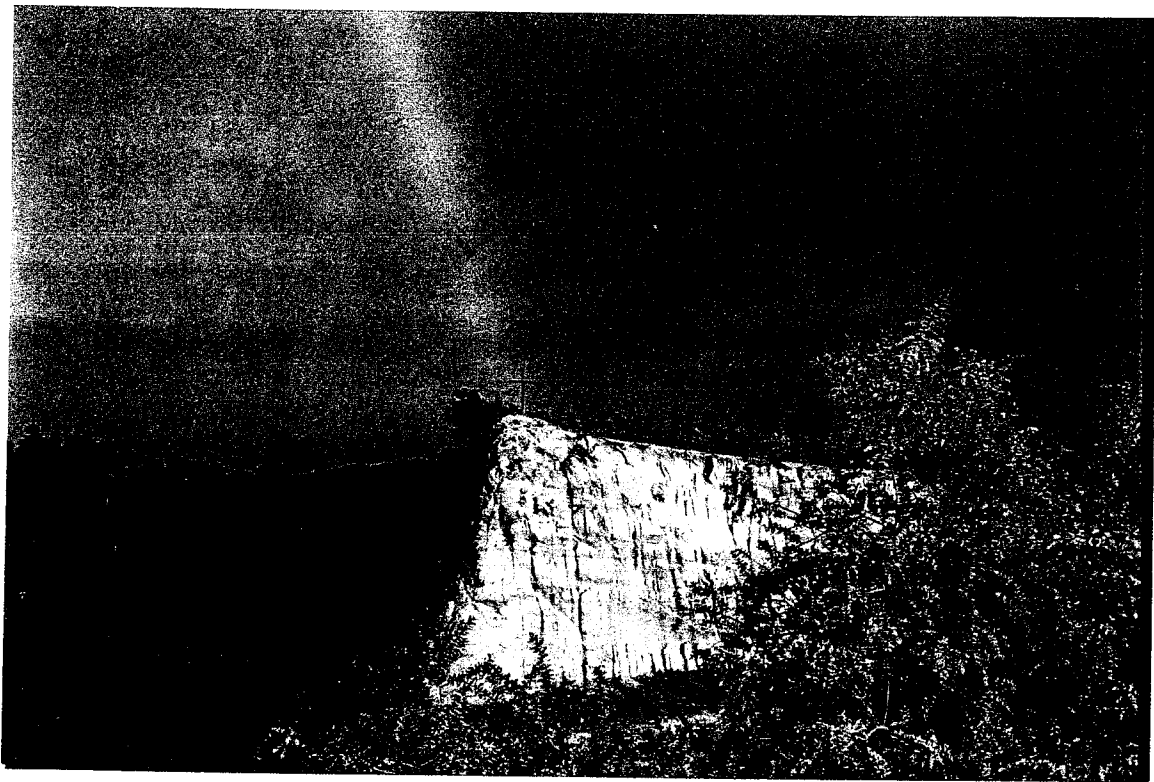
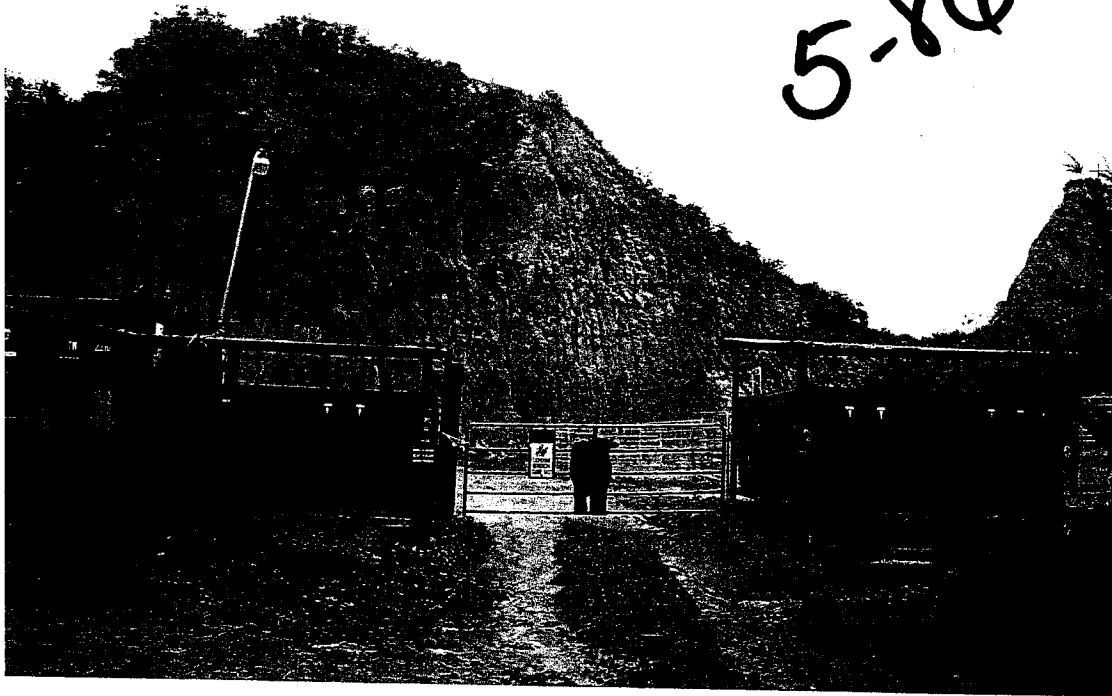
5.85



5-86

## Pit

Entrance to barrow pit on  
Harvey property.







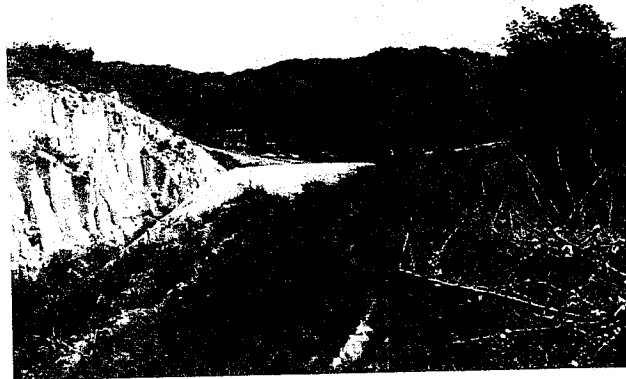
5.88

**6A**

View of Northern boundary  
of Lot 6. Building site on  
map appears to include cliff  
line above drainage area to  
past oak tree in center of  
photo.

5-89

6B



Bulldozing future building site (approximately 60' by 60') on top of ridge of North edge of Lot 6. Bulldozing was done winter of 2001. This bulldozing lead to excessive amounts of silt build up. Prior to this, up keep of back drainage area was minimal yearly shaping due to silt build up (< 1 yard).



6C

590

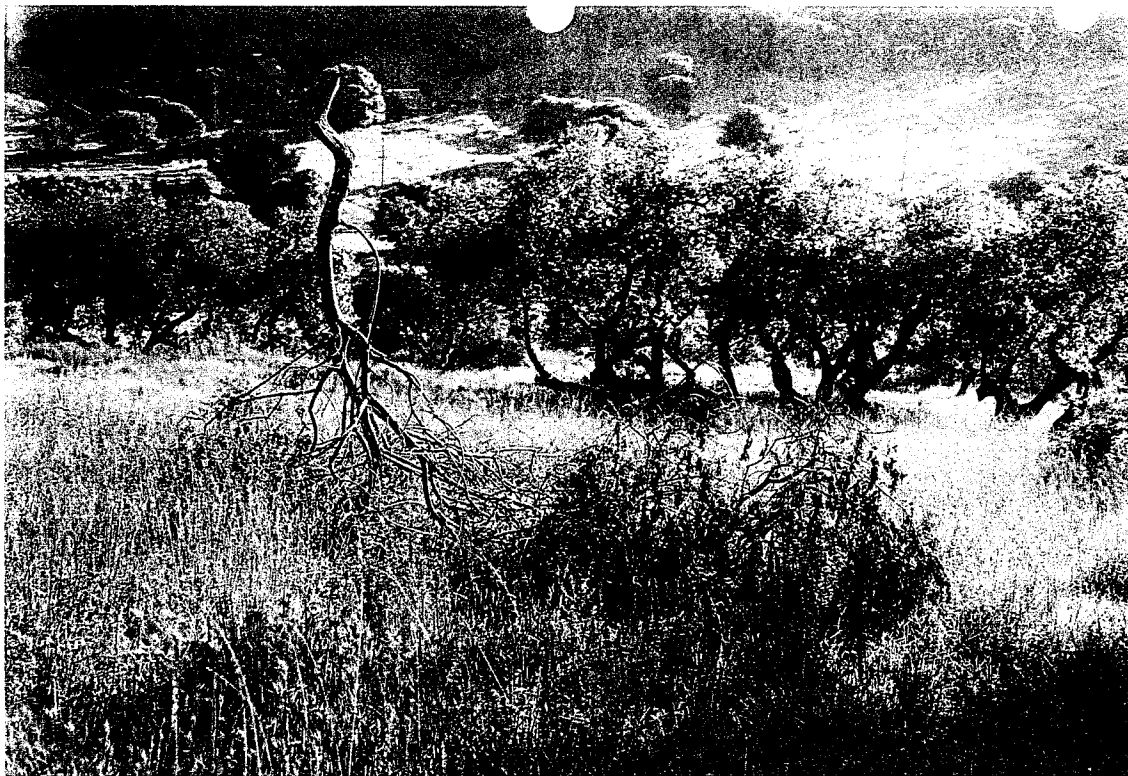


5-91

6D

View of bulldozed ridged to  
the North from proposed  
driveway to Lot 6.



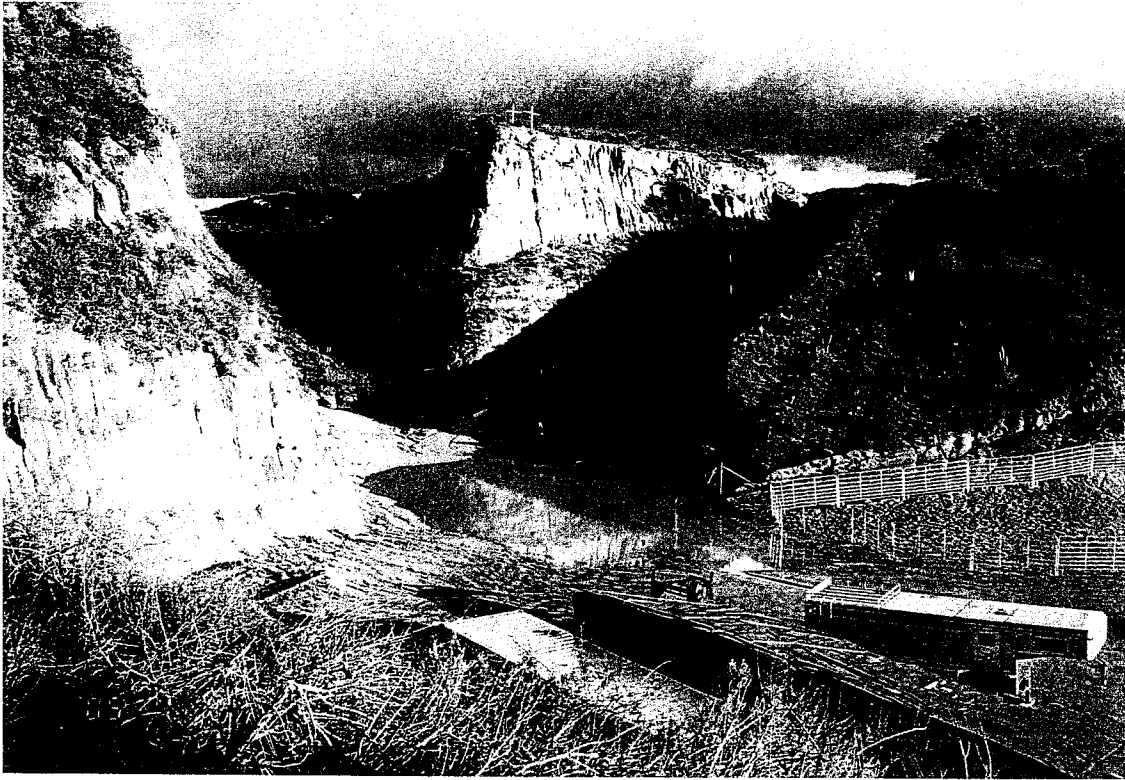


5-92 6E

Feel building site should be limited to area on left (South West) side of Lot 6. Bulldozed area on center of Lot 6 is only 60' by 60' with steep soft sides. Would require extensive grading to make this a viable site.



593 6F

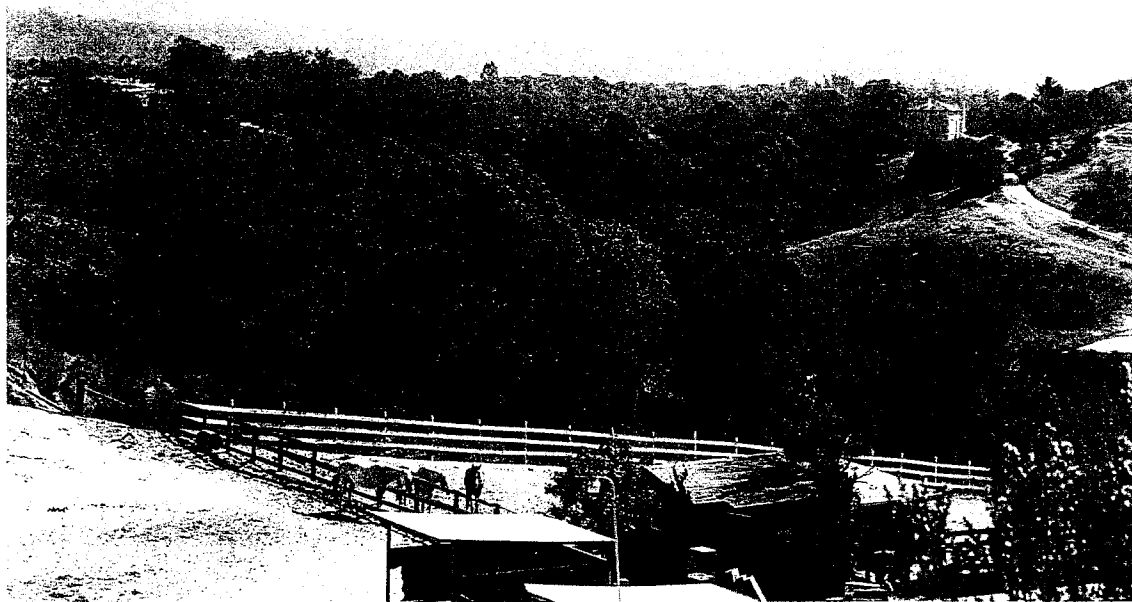


View of cliff area on boundary of Lot 6. Developer Godfrey, Had stated the best thing would be to bulldoze this cliff since he needed all the land he could get to make the minimum lot size.

594

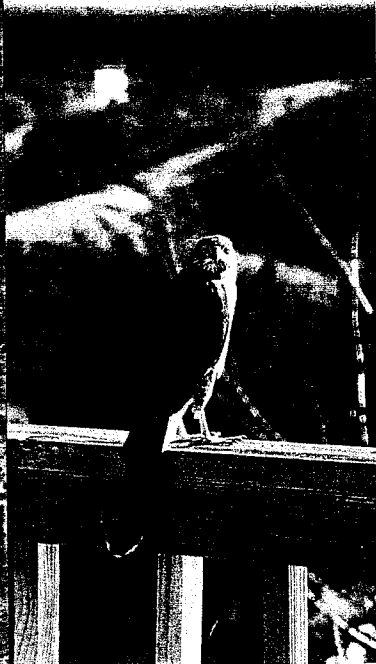
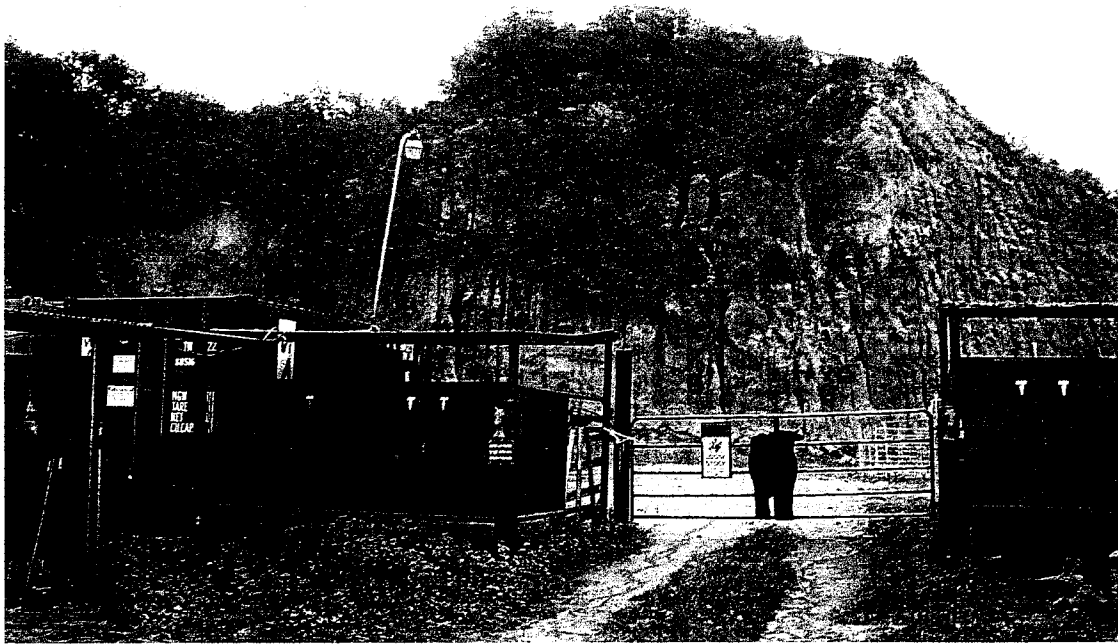
6G

View of Northern boundaries of Lots 4 & 6. Request all oak trees on these boundaries be protected. The trees provide stability to soil on steep slopes and visual separation between properties. These trees do not currently appear to be addressed on current tree protection plan.



595 6H(a)

Views of some of the wildlife  
which are supported by  
current land conditions.

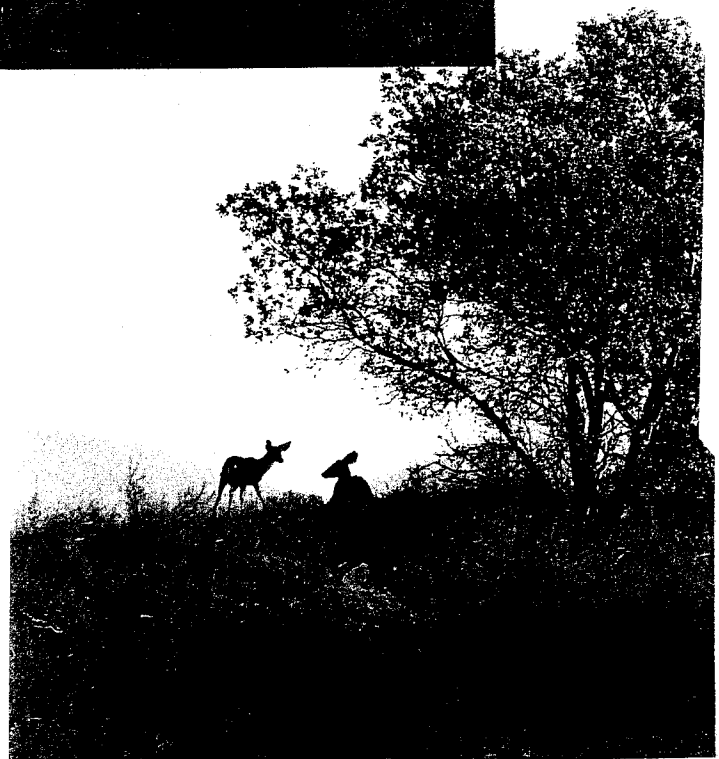


596

6H(b)



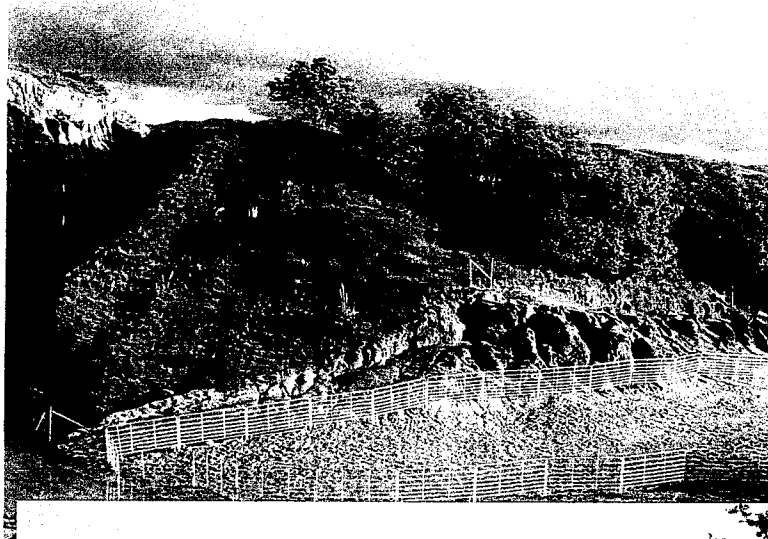
Views of some of the wildlife which are supported by current land conditions.



5-97

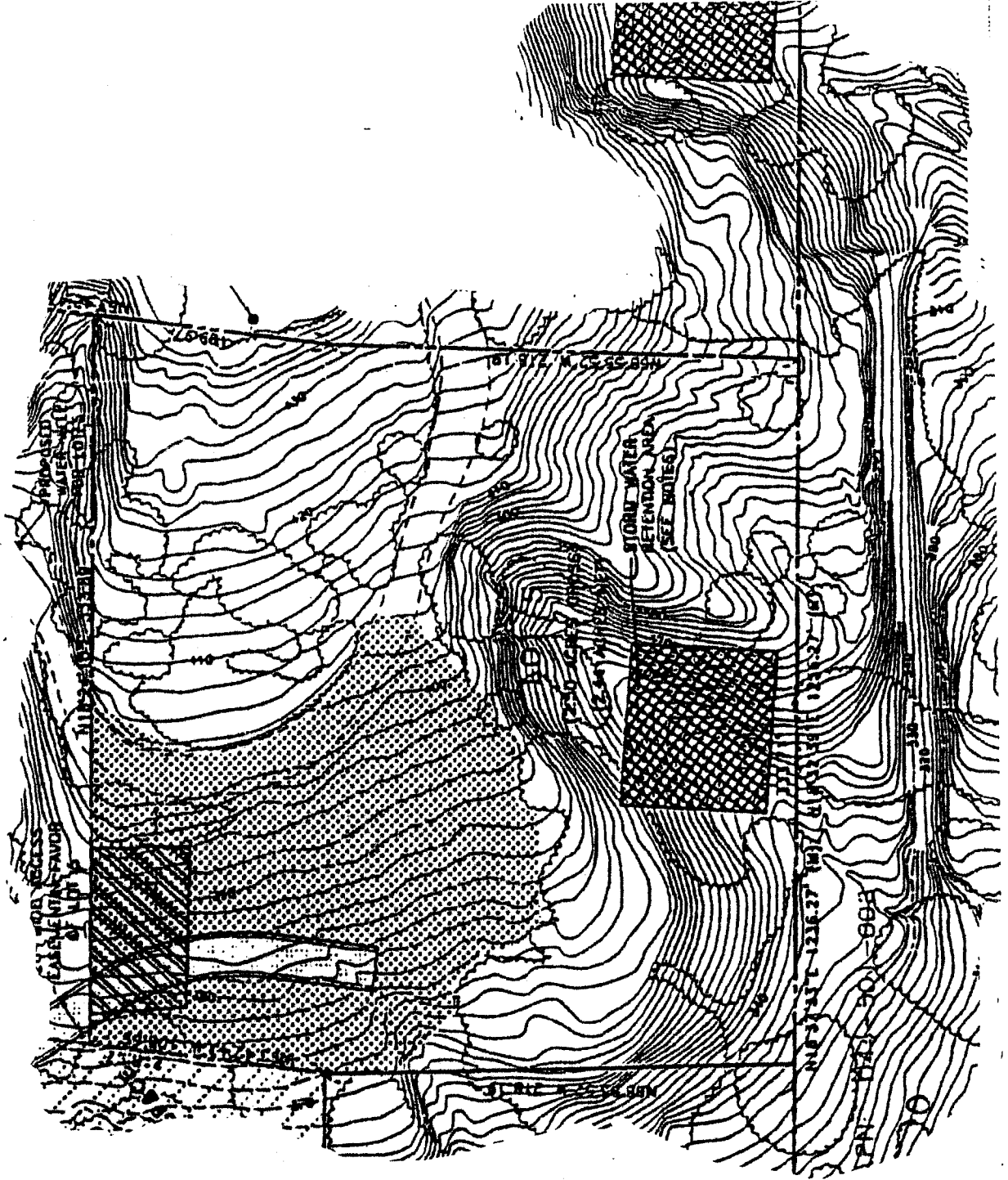
61

Meeting of Godfrey with  
Planning Department in  
February. We were not  
invited to give our input to this  
meeting.



# LOT 5

See Photos 5A-D



5-98

599

5A

Lot 5

Corbett Canyon Road

300-400 foot cliff line  
30-40 foot deep heavily  
wooded basin at bottom of  
cliff line which provides an  
established protective habitat.

View is looking East towards  
upper rim of cliff line.

Property line approximately 5-  
10 feet from top of cliff line.

Lots 5 & 7 will effect this  
habitat. Is this identified on  
the impact report?



5-100

5B



View towards Corbett Canyon (East)

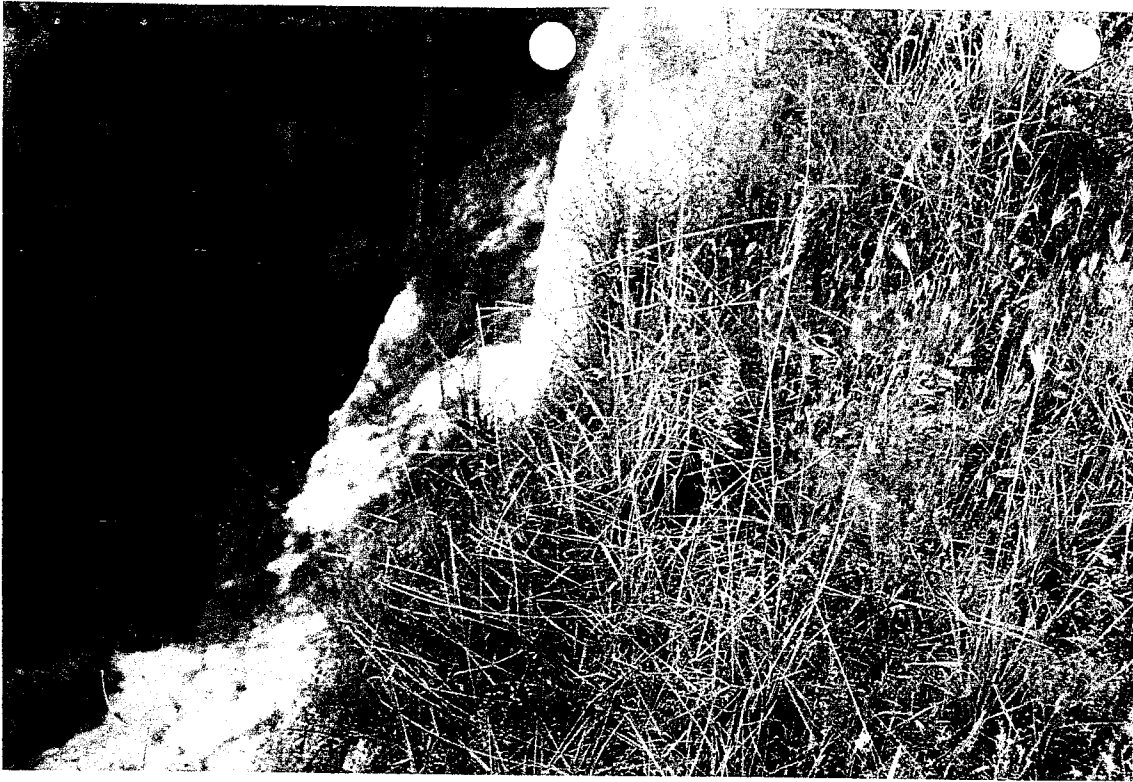
Property line is approximately 5 foot from rim of 300-400 foot cliff. Plans show retention basin very near to cliff line.



Are further setbacks required for protection of habitat and erosion control?

Looking down from top of cliff to rear of Corbett Canyon property.





5-101

5C

View is looking down from  
top of cliff.



Retention basin located at  
top of cliff? Identified on  
negative impact report?



5-102 5D

View is looking down Lot 5  
to top of cliff and Corbett  
Canyon Road.



# LOT 7

Extremely steep ravine long and deep leading to front of East side of old barrow pit.

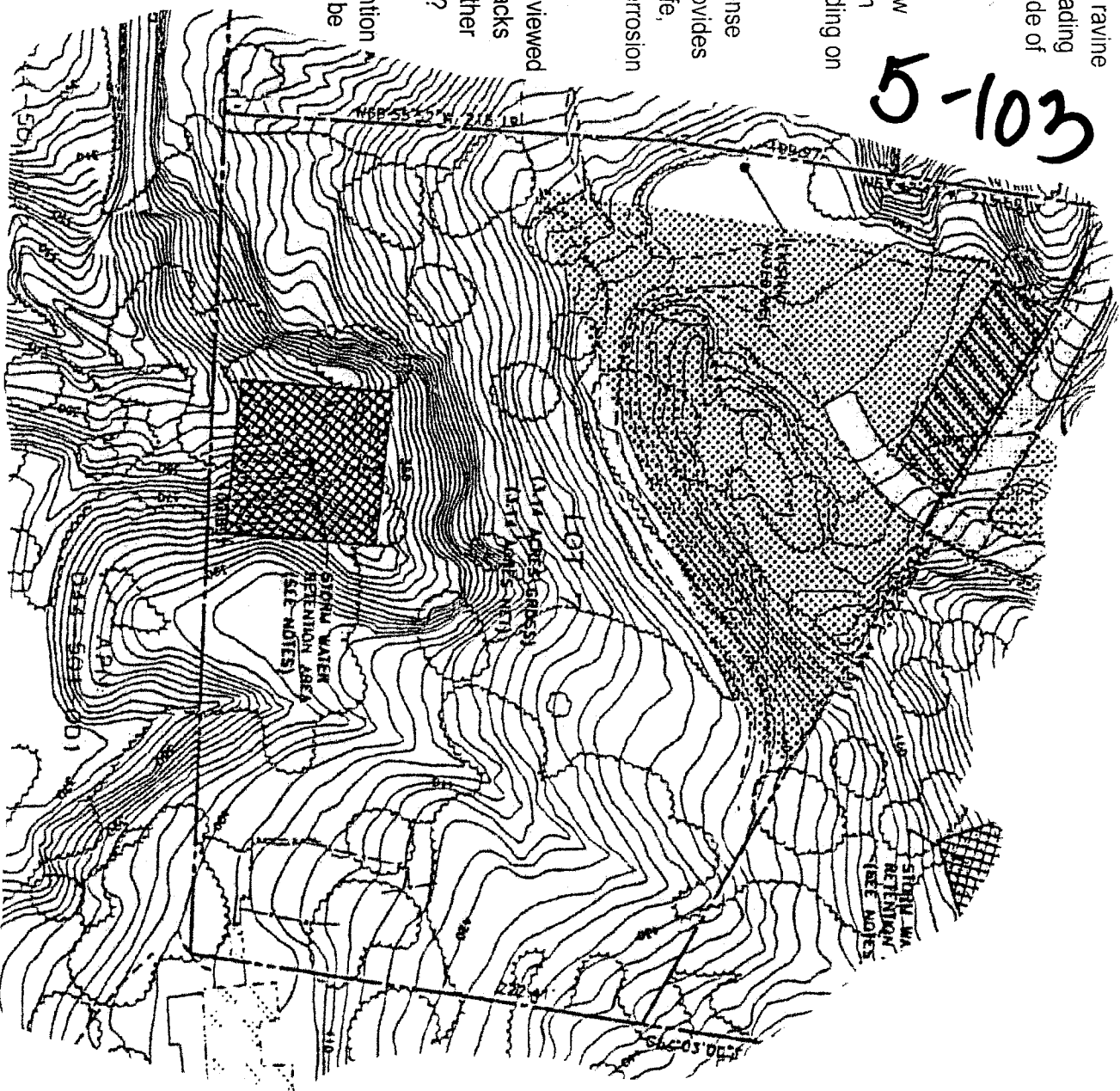
Photos 7a-d show brush debris from clearing and grading on property.

Ravine is has dense growth which provides habitat for wild life, watershed and erosion control.

Has this been reviewed for habitat, setbacks and impact on other lower properties?

Location of retention area appears to be in ravine?

5-103



## STORM WATER RETENTION

STORM WATER RETENTION AREAS TO BE FOLLOWING:

- 1) ABOVE GROUND STORAGE BASIN
- 2) UNDERGROUND INFILTRATION
- 3) UNDERGROUND SEEPAGE PIT
- 4) ANY OTHER SYSTEM APPROVED BY THE OBISPO COUNTY PUBLIC WORKS DEPARTMENT

STORM WATER SYSTEM TO BE DESIGNED AND THROUGH THE INDIVIDUAL LOT BUT STORM WATER SYSTEM MUST COMPLY WITH SECTION 19.20.222 AND ALL REQUIREMENTS OF THE WATER QUALITY CONTROL BOARD.

5-104

7A





5-105 **7B**

Residual brush from  
clearing.



See aerial A-1

Brush and trees pushed  
into ravine on Lot 7

5-1060

7C



5-107

7D



5-108

## Badger 1

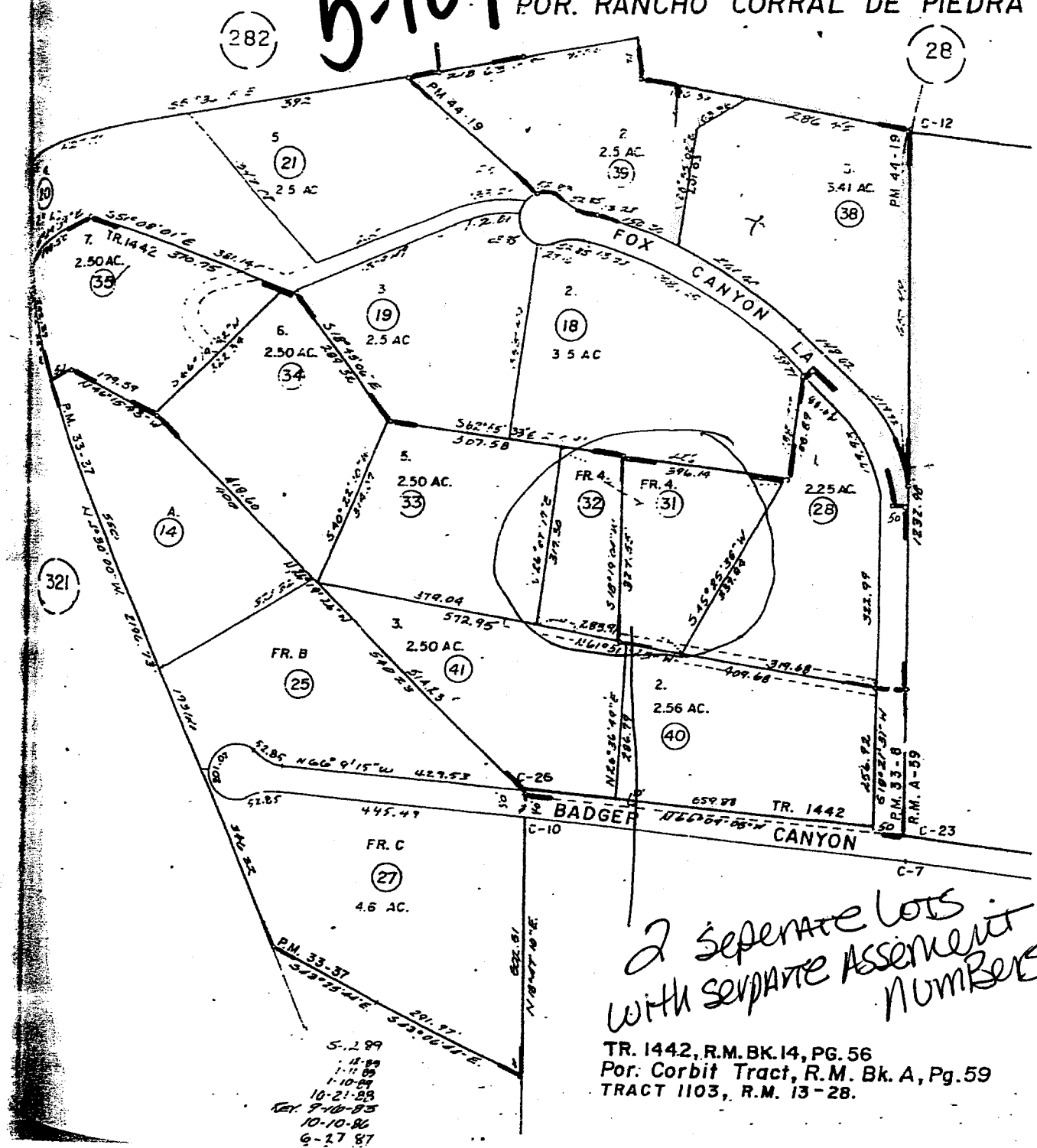
View of exposed drainage  
culvert from South East  
corner of tract towards Fox  
Canyon lane.

View of exposed drainage  
culvert from South East  
corner of tract towards  
Corbett Canyon lane.



5-109

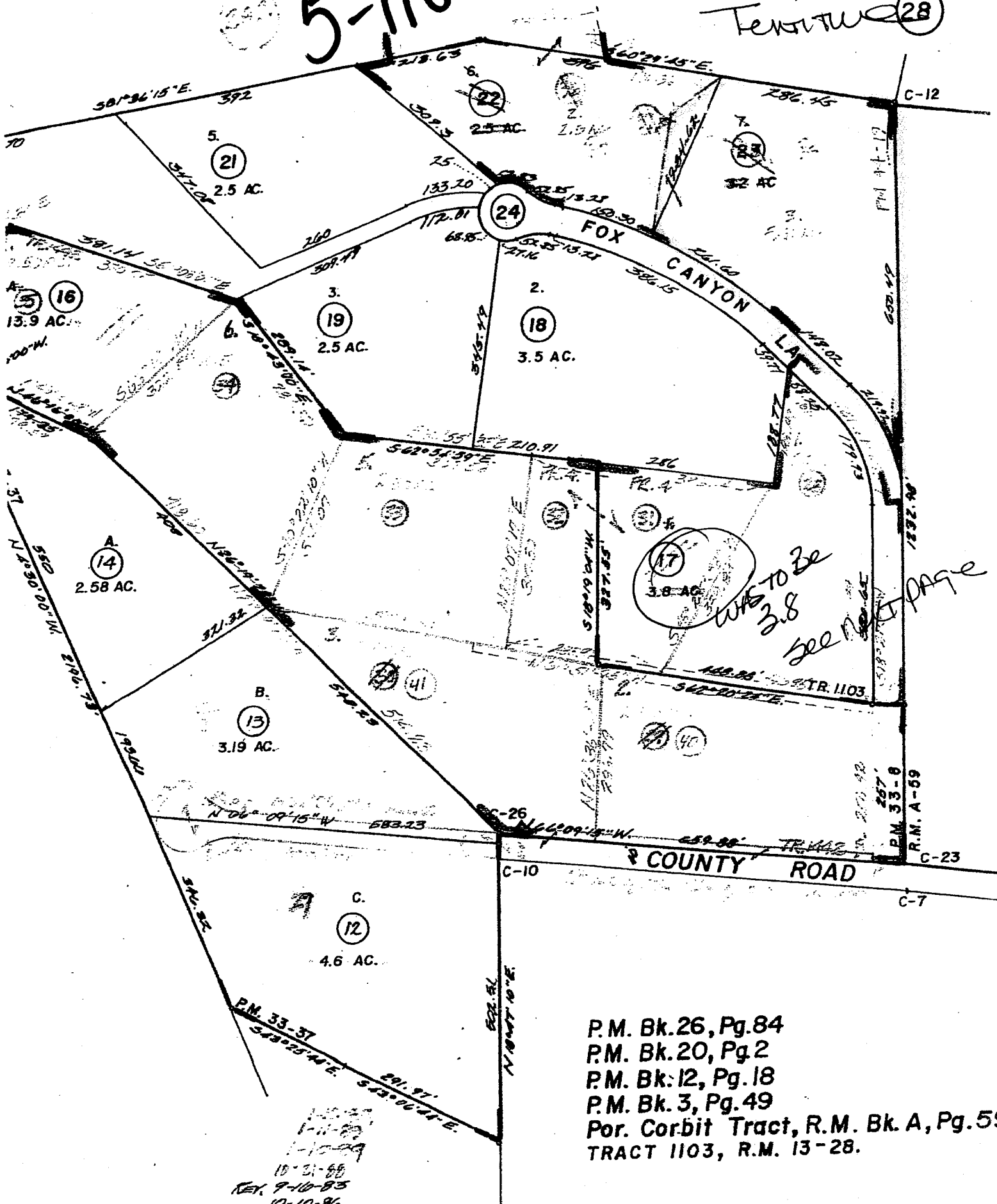
FINAL MAP  
 POR. T. 32 S., R. 13 E., H. B. & M.  
 POR. RANCHO CORRAL DE PIEDRA



5-110

POR. RANCHO CORRAL DE PIEDRA

Territorio 28



P.M. Bk.26, Pg.84  
 P.M. Bk.20, Pg.2  
 P.M. Bk.12, Pg.18  
 P.M. Bk.3, Pg.49  
 Por. Corbit Tract, R.M. Bk. A, Pg.5  
 TRACT 1103, R.M. 13-28.

10-31-88  
 KEY 9-10-85  
 10-10-86

5.111

## I. Major Concerns

### A. *Change of rural nature of the neighborhood to high end suburban*

1. Many of the homes in the area were built prior to the mid-1970's and have a farm, ranch, or rustic nature
2. City of Arroyo Grande Planning Director regards this as an important point against approval
3. The area is clearly rural, not suburban

### B. *Preservation of the wetland area and other natural habitat* *REQUIRE AN EIR* *and species of special interest*

### C. *Erosion and further destruction of the natural contours*

1. There has already been significant damage done to the contours (top of cliff removed, road cut, arroyo filled)
2. Natural vegetation bulldozed

### D. *Additional traffic (including pedestrians and bicycles) on* *NARROW* *local roads*

1. City of Arroyo Grande Planning Director regards this as an important point against approval

### E. *Air, noise and water pollution*

1. Air Pollution Control District recommends less density in rural areas
2. Under current plan there could be 14 homes with 14 wells and 14 septic systems and unknown domestic animal density--bad idea
3. Open catch basins can concentrate polluted surface water and promote insect problems

### F. *Water availability in the long term*

PLANNING COMMISSION

EXHIBIT

#6 5030062T  
TR 2574

DATE:

3-10-05

DO NOT REMOVE FROM FILE

5-112

1. Paving of substantial areas will allow less replenishment of aquifer
2. Replacing natural vegetation with landscaping requiring irrigation depletes aquifer

**G. Fire services**

1. City of Arroyo Grande Planning Director regards this as another important point against approval

**H. Serious disagreements on property lines from several surveys**

1. Splitting before all lines are settled may just clog the court calendar

**II. Proposals for Correction**

**A. Deny split as proposed**

1. This is the recommendation of the City of Arroyo Grande
2. This is the preference of many of the residents of the neighborhood

**B. Allow split with modifications AFTER A FULL EIR**

1. No lot less than 3 acres gross, with wetland and cliff areas set aside and not included in total of splittable acreage
2. No second unit on any lot less than 3 acres net
3. Any second unit must be within initial building envelope and have a dedicated septic system adequately removed from any well or catch basin on adjoining properties
4. Any outbuilding larger than a shed (10'x10') must be within original building envelope and require no significant additional grading (change of more than +/-1.5' from natural topography)
5. Limit amount of fill dirt brought to site(s)
6. Natural contours preserved

THOMAS & SUSAN PATTON  
1960 Bee Canyon

GODFREY & SUSAN PATTON (3)

5-113

7. **Limit height and size of structures and "prominence" above natural contours**
8. **Designate who will enforce the Manzanita and Oak replacement requirements and the penalties for failure to preserve and replace.**

#1 1-13-09 PC  
Godfrey

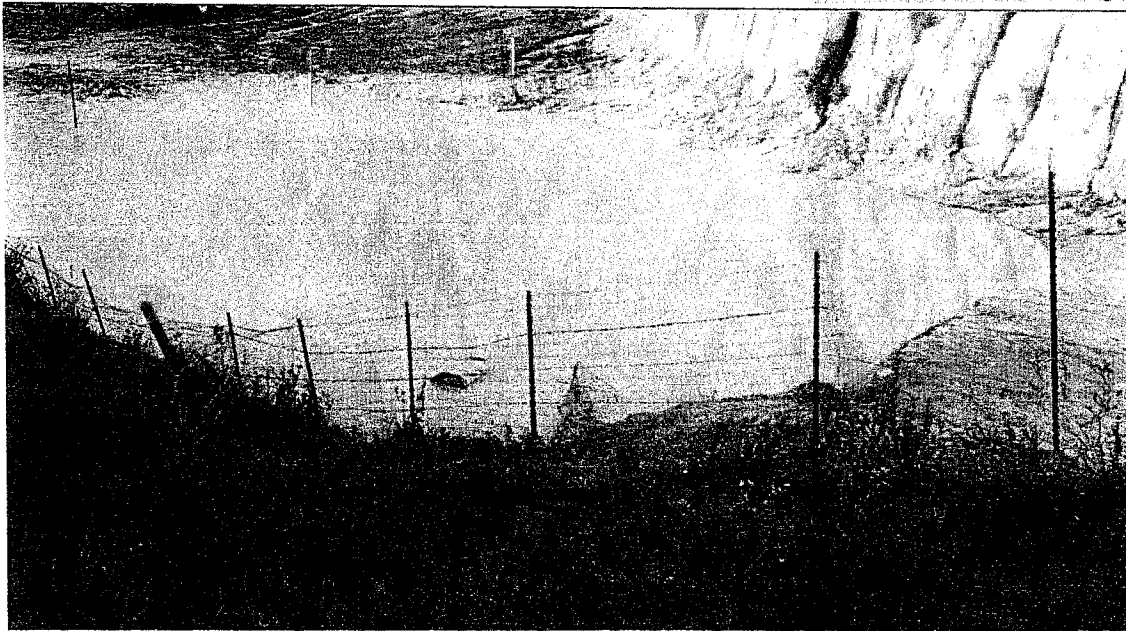
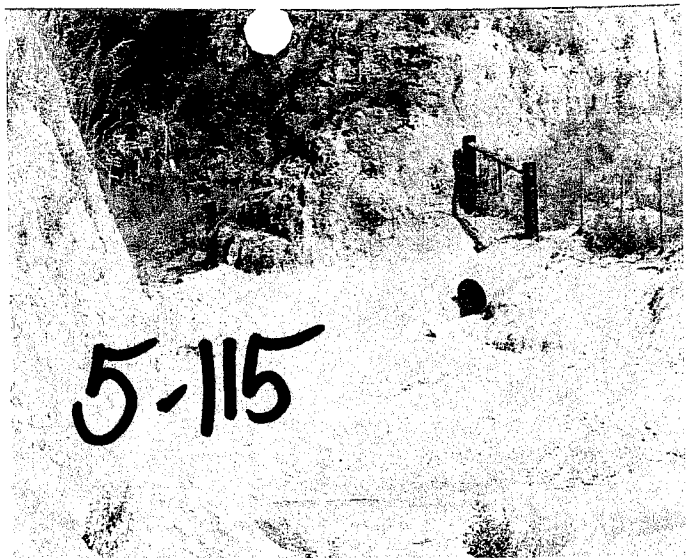
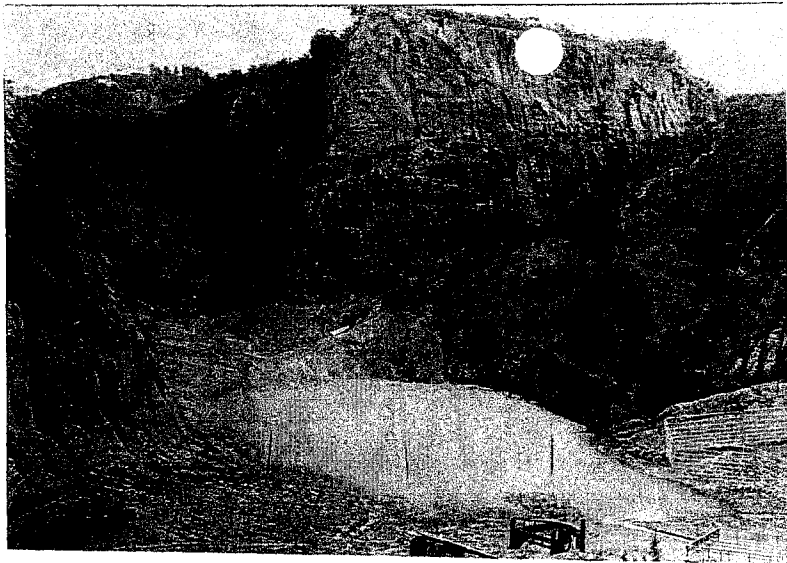
5-114



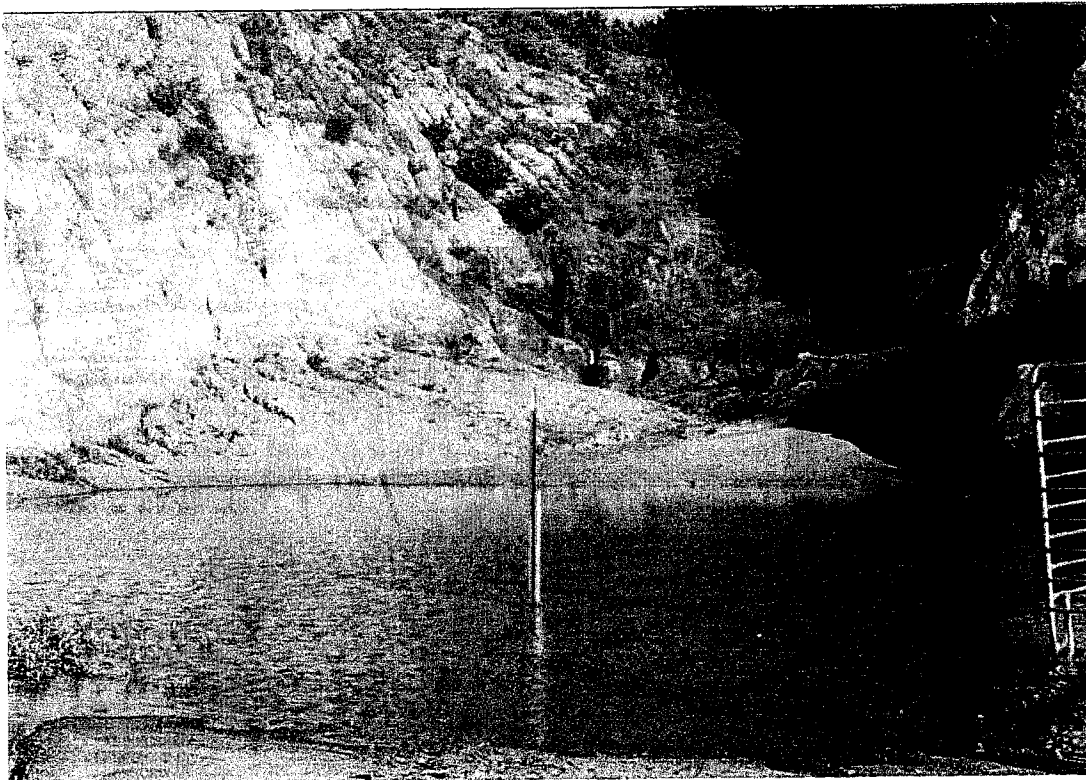
Building no.  
#6

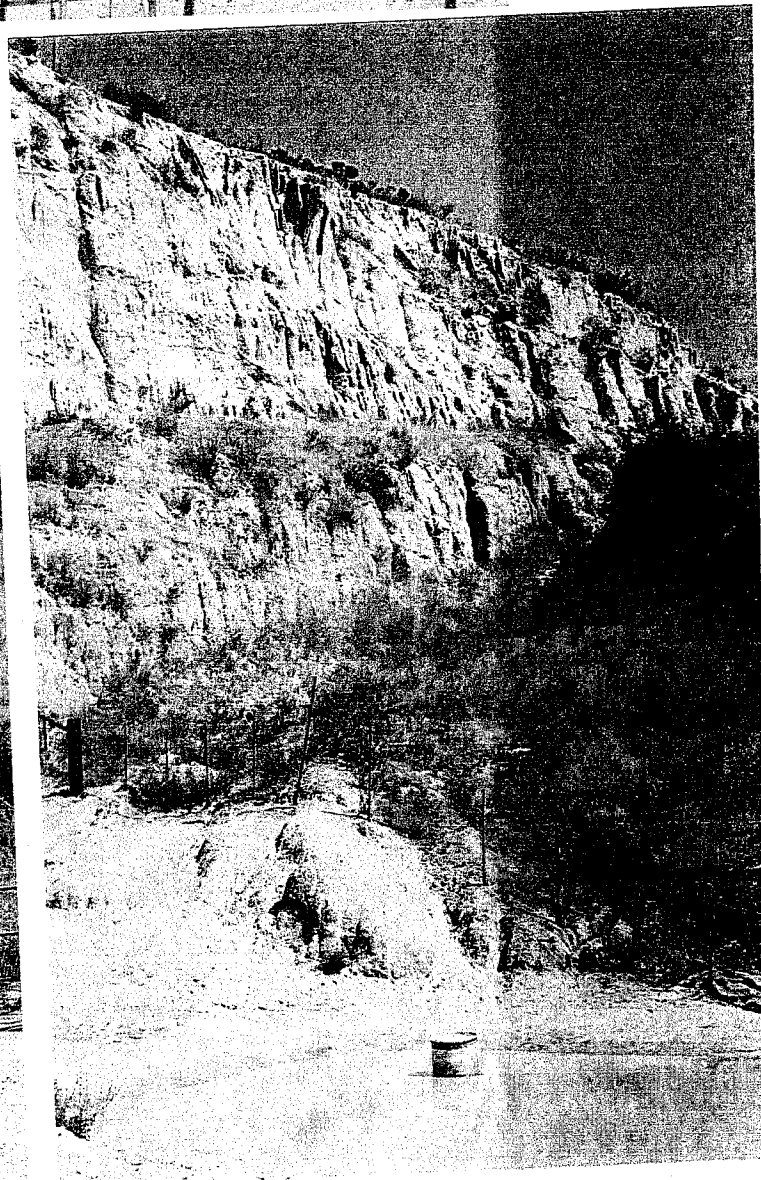
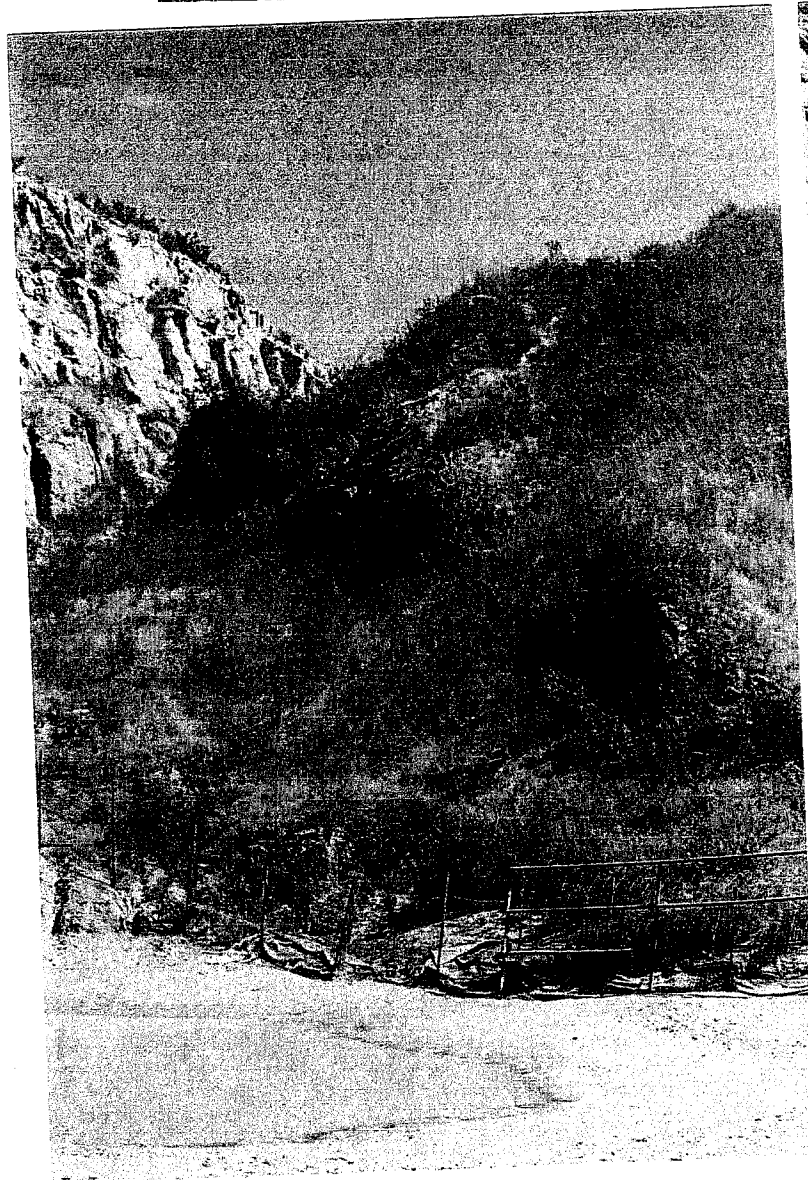
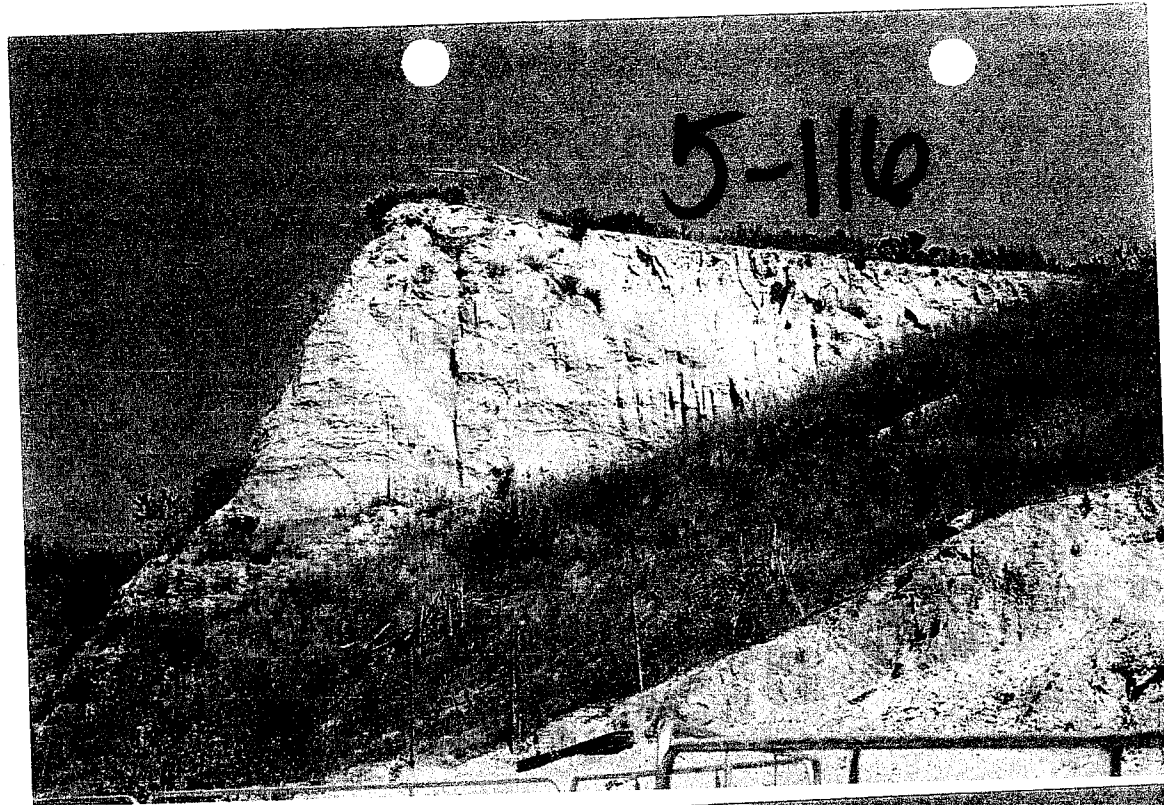
Panson  
Building  
200ft - 300ft

Pond



#1 Godfrey  
1-13-06  
pc

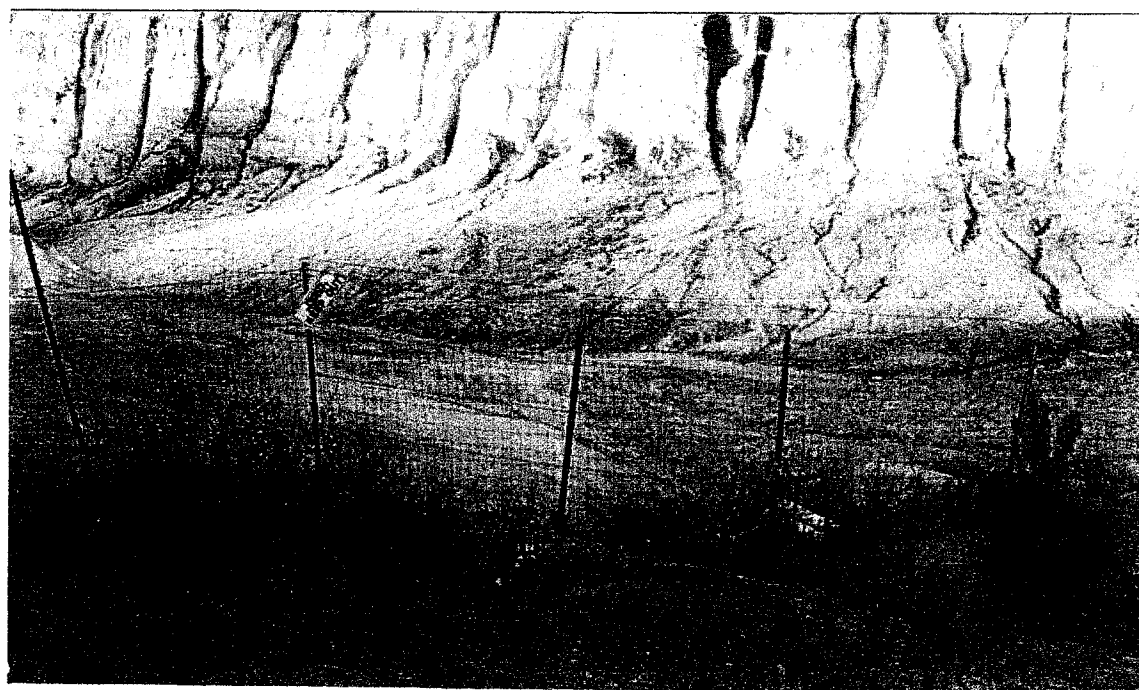






#1 1-13-05  
Godfrey

5-117



5-118

## **I. Request Postponement**

### ***A. Insufficient time to review materials***

1. Received notice and materials only last Saturday
2. Several survey maps in conflict
3. Inclement weather prevented taking photos and surveying prior to hearing

### ***B. Survey in progress by Garing & Associates***

## **II. Lot Line Disputes**

### ***A. Subdivision possibly done on basis of improper survey***

1. Gross acreage is listed in documents as 19.2 and on one of the maps as 18.8
2. Maps do not agree on placement or angles of some lines.

### ***B. Potential overlap of lot lines on Patton, Heiney and Harvey Properties***

## **III. Environmental Concerns**

### ***A. Erosion/runoff***

1. Storm water basins on lots 5, 6, and 7 have potential for damaging overflow on neighboring properties
2. Extensive grading necessary for "building envelopes" may cause migration of topsoil due to concentrated runoff.
3. Concentrated pollution from domestic animals into catch basins

### ***B. Habitat destruction***

1. Much habitat destruction on potential lots 6 & 7 has already occurred
2. Additional displacement of wildlife will be significant if 14 homes are allowed on the 7 lots

### ***C. Native Oak removal and replacement enforcement***

### ***D. Manzanita removal and replacement enforcement***

### ***E. Large homes producing copious sewage, placement of second homes/leach fields on land with poor filtration, shallow bed rock, and steep slopes***

### ***F. Overdraft of aquifer***

1. Too many wells serving too many houses

2. Destruction of natural vegetation in favor of extensive landscaping needing irrigation

3. Catch basin(s) inadequate to recharge aquifer

G. *Fire and other public safety access too limited*

5-119

**IV. Legal concerns**

A. *Extensive grading prior to permitting*

B. *Extensive removal of native oaks and manzanita prior to permitting*

C. *Question of possible marker replacement, destruction/relocation*

D. *"Existing dirt access road" cut to back of property just prior to subdivision application*

**V. Change of rural character of the neighborhood to high-end suburban**

A. *Too many structures (potentially 14 homes, plus outbuildings)*

B. *Too much additional traffic*

C. *APCD recommends less density in rural areas*

**VI. Proposals for mitigations if subdivision is to go forward**

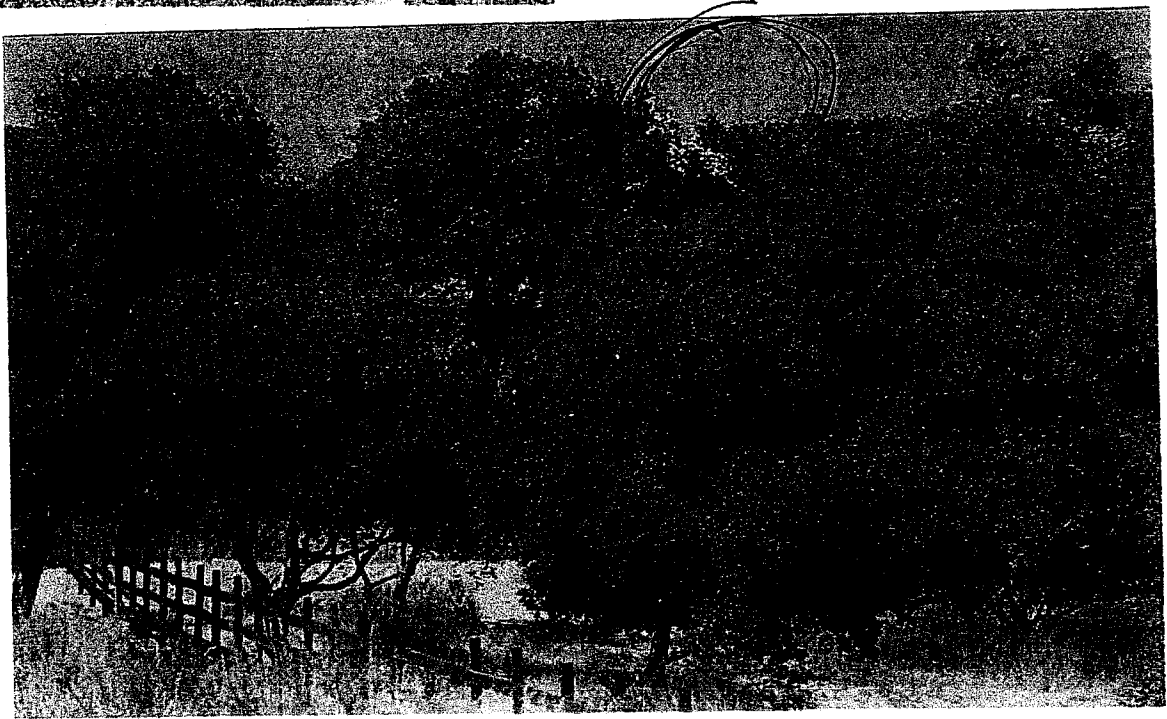
A. *Propose all lots be realigned to be no less than 2.5 acres net.*

B. *Propose that no lot less than 3 acres be permitted a second unit*

C. *Propose that a second unit is only permitted where the natural slope/filtration/bedrock depth will allow for a second leach field adequately separated from wells and catch basins and be within the designated building envelope.*

#1 Godfrey  
1-13-05 PC

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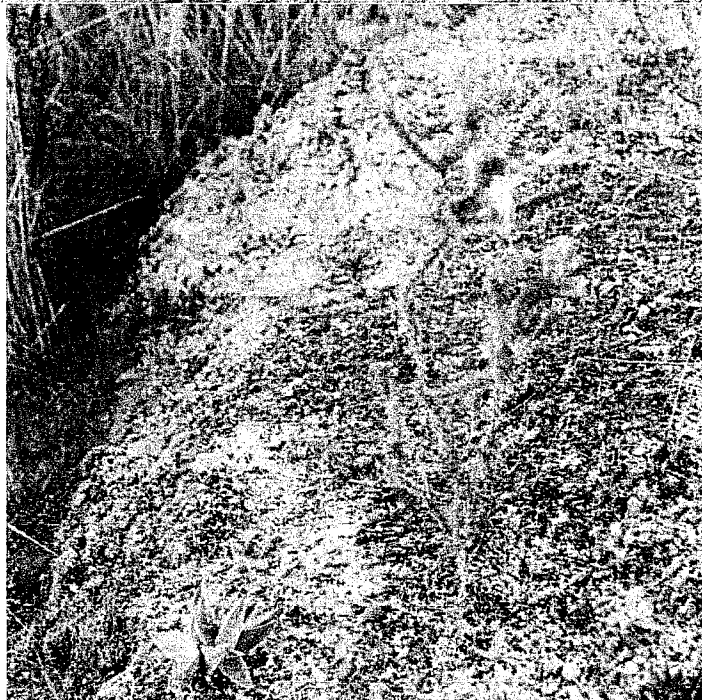
#1 Godfrey  
1-13-05





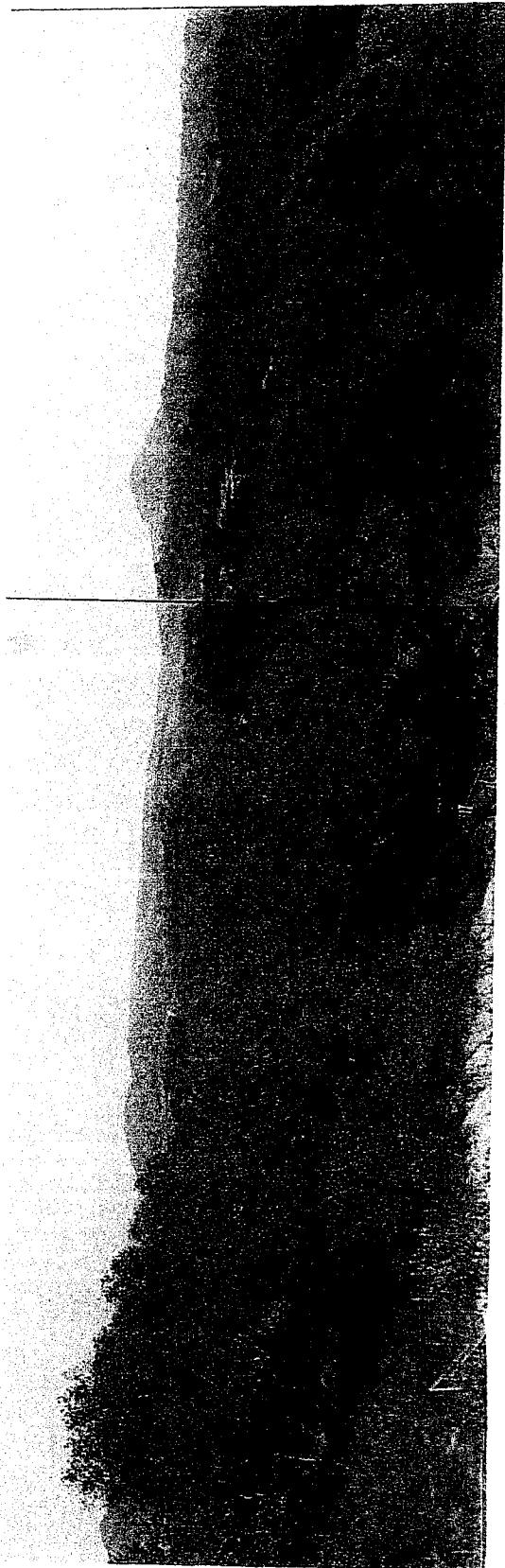
#1  
Godfrey  
1-13-05  
PC

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#1 Godfrey  
1-13-05 PC

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#1 Godfrey  
1-13-05 PC

Craig and Terisue Harvey  
1060 Fox Canyon Ln  
Arroyo Grande, Ca 93420

To whom it may concern;

This letter is to address the issue of water drainage and land use for the proposed subdivision of Mark Godfrey on Badger Canyon.

Our property borders the Northwest corner of Mr. Godfrey's proposed subdivision. The borderline of our properties is a cliff line which resulted from earlier sand harvesting to base US 101.

We had an agreement with the previous owners of the Godfrey property that we would address run off issues from the cliff line if we would be allowed to move our fence line over our property line. This was due to our fence repeatedly being buried from the sand carried by the runoff from the cliff area and flooding of our property. Not only was this labor intensive but also it allowed our livestock to escape.

We attempted to work out an arrangement with Mr. Godfrey after he acquired the property but he did not respond to requests from our attorney. Mr. Godfrey did however do bull dozing with changed the existing slope which increased the amount of water flow from the cliff line.

One concern is that there is no indication on the tentative maps of the subdivision of any water storage or runoff control in this area of the property. If no steps are taken to control the water runoff, not only will our fencing be destroyed but also our property and barn area will flood during the raining season.

A second concern is that Mr. Godfrey has indicated he wants to bulldoze the cliff line down. We feel that this would not only be detrimental to the wildlife in the area but that it would destabilize the area on the South end of our property.

We respectfully request that these issues be addressed prior to final approval of this subdivision.

Respectfully,

Craig and Terisue Harvey

5-125

#1 1-13-05 PC  
Godfrey

June 27, 2001

Branch Street Realty  
211 Branch street  
Arroyo Grande, CA 93420

Attn: George Haugen

RE: Sale of the Winslow Property at  
Badger Canyon Lane (19.20 acres)

Dear George:

Craig and TeriSue Hardey own the property located at 1060 Fox Canyon; this is adjacent to the Winslow property. The Hardeys had a lengthy discussion with me about the flooding from the Winslow property and the inability for them to keep up the fence line over a small portion of the Winslow property.

Approximately 10½ years ago, the Hardeys fenced off this boxed canyon that crosses over into a portion of the Winslow property. Due to an excavation years ago, this little part of the property is not accessible from the main Winslow property. This boxed canyon piece of the property has been used consistently by the Hardeys for over 10 years now. In the future please disclose this prescriptive easement to any potential buyers of the property.

Please feel free to contact me concerning some practical resolutions for these properties.

Very truly yours,

J JOHNSON  
JJ:ev

LAW OFFICES OF

J JOHNSON

#1 Godfrey  
1-13-05 PC

928 Grand Avenue, Grover Beach, CA 93433  
P.O. Box 3, Grover Beach, CA 93483

Phone: (805) 489-4111  
FAX: (805) 489-4222

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August 1, 2001


Law Office of  
Stephen Nathan Dorsi  
P.O. Box 1253  
San Luis Obispo, CA 93406

RE: Sale of Winslow Property

Enclosed are some photographs showing the area that has been used by the Harveys. Because of all the runoff that came from the Winslow property, a fence line could not be maintained in that area and approximately 10-1/2 years ago they put the fence line to include the little box canyon area behind. As you can see this small area has no value to the Winslow property and is only reasonably accessible from the Harvey's property.

We could get a metes and bounds description, etc. at such time that we did a lot line adjustment or other title work.

Very truly yours,

  
J JOHNSON  
JJ:sr  
enc

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THE UNDERSIGNED ARE ALL CONCERNED PROPERTY OWNERS IN THE SURROUNDING AREA OF THE PROPOSED GODFREY TRACT SUBDIVISION. DUE TO THE VERY LIMITED TIME WE HAVE HAD TO REVIEW MATERIALS RELATING TO THIS PROJECT AND THE EXTENSIVE WORK DONE PRIOR TO THE PERMITTING PROCESS, WE ASK THAT CONSIDERATION OF THIS PROPOSED SUBDIVISION BE POSTPONED FOR ONE MONTH.

SOSAN PATTON 1860 BEE CANYON Susan G. Patton

TERISUE HARVEY 1060 FOX CANYON

Sarah Lynn B. Underwood

Roger L. Underwood

1085 Fox Canyon Ln, A.G.

Thomas L. Patton 1860 BEE Cyn. T. L. Patton

LOUISE WOOLWORTH 1009 Cougar Crk WY J. Woolworth

ALEX WOOLWORTH " " " " Woolworth

William J. Johnson 1090 Fox Canyon Ln, A.G.

Bene Newmy

1856 Bee Cyn. A.G.

Judy Heiney

1856 Bee Cyn. Rd. Arroyo Grande

Steven C. Davis

1810 Bee Canyon Rd. Arroyo Grande

Ed Mathias

937 Corbett Canyon, A.G.

PLANNING COMMISSION

EXHIBIT Item # 1 Godfrey

DATE 1-13-05

SO30062T

DO NOT REMOVE FROM FILE

TRACT 2574